Revenue (189/) Department.

MISCELLANEOUS SERIES.

G.O., No. 1444

Endorsement No 418

DATED 3rd March 91

[Despatch Abstract.]

Passing orders on papers relating to Dr. R. Ry
C. R. Chennia Kesavulu Naydu.

BACK PAPERS.

G.O.	No	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O	No.	Department.	Date.

G. W. F.
24 NOV 90

GOVERNMENT OF MADRAS
18 NOV 90
REVENUE DEPARTMENT

CHIEF SECRETARY
11 NOV 90
GOVERNMENT OF MADRAS

DIRECTOR AND RESIDENT
19 MAR 91
MONOPOLY

To,

His Excellency the Governor
In Council
Fort Saint George
Madras.

The humble Petition of Govinda Naidu son of Ethuraju Naidu residing in Jaffirsahib street door No. 16 Fort Trichinopoly.

May it please your Excellency.

The Pritioner most respectfully begs to approach your Excellency with this complaint of the Corrupt practices of one C. R. Chinnakesavalu Naidu. B. A. while he was deputy Collector and Magistrate of this place.

The said Naidu is now Deputy Collector of Anantapur.

That there are two Acheduled

-dules appended to this Complaint
the first of which discloses the
several cases of illegal gratifi-
-cation received by him in the
way of selling justice to the
higher bidder, and the second
shews the several cases in
which bribes had been received
by him in consideration of
securing for the bribe-giver
appointments in Government
Local Fund and Municipal
Service.

Your Excellency's most
humble Petitioner is still col-
lecting information as to other
cases of a similar character
and the same will when col-
lected be submitted to your
Excellency's proper Considera-
tion.

Petitioner humbly begs
for a thorough and searching
enquiry into the cases detailed.
Nothing

Nothing short of a Commission
of Inquiry headed by an Astute
and unflagging member of the
Covenanted Service a Cox, a
Drummgie, an O'Farrell or an
Irvine will ferret out the whole
scandal.

The people of this place
are a most fearing set and in
the absence of an indemnity from
your Excellency, the truth will
not be revealed.

The fair name of British
justice has been most disgust
ingly stained by Chunnilaza
valu and the people's Govern
alone can wash it out.

The undermentioned
Gentlemen will testify to the un-
paralleled corruption and
striking rottenness of Chunna
Mesavalu while here.

The Honourable A. Seshiah
Sastriar Garu. C. I. E. Dewan
Regent of Pudukottah.

M. R. Ry.

M. R. Ry. T. Appaji Rao. Over-
-jul, Retired Deputy Collector
Treasury, Trichinopoly.
M. R. Ry. T. Pattabhiram Pil-
lai avergul, Deputy Collector
and Magistrate, General
Duties, Tanjore.
M. R. Ry. A. Krishnaswamai
yer avergul, Treasury Deputy
Collector, Trichinopoly.
M. R. Ry. P. Narasimhulu
Sastriar avergul, late acting
Head Quarter Deputy Collector
and Magistrate, Trichinopoly
M. R. Ry. R. Kandaswami Pil-
lai avergul, Taksildar, Trichi-
nopoly.
M. R. Ry. S. T. Ranganaswami
Ayer avergul. B. A. B. L. Chair
man Trichinopoly Municipality.
M. R. Ry. S. Annaswamie
Ayer avergul, Revenue Board
Office Madras.
M. R. Ry. T. Seshiah avergul
B. A. Acting present Huzur
Sheristadar

2.

Sheristadar Trichinopoly.

Petitioner begs to remain

Your Excellency's most

Obedient and humble

Servant

(Sd) [illegible]

Trichinopoly
10th November
1890.

the pung. Rao Sahib Vemanakes.

Received
24 NOV 90

Schedule I

1st Che Krishna Swami adaikka
pattan and others of Kilvijur
were convicted and fined under
the Cattle Trespass act in the ag
gregate sum of 160 Rs. Two ap
peals were preferred. The judg
ments of the Shemistadar magis
trate reversed on appeal by
Chinnakesavalu. The bribe pai
for this illegal exercise of power
was Rs 200. The fact that the
evidence in one appeal was as
as evidence in the other, and t
the testimony of a Police Const
for the Prosecution has been c
-racterized as worthless, will s
the perversity of the verdict
appeal. The go-between in th
case was Amin Rangiah Pi
living in Tipperanthitti
near Chinnakesavalu's ho
The said facts are known to
privial Vakils that appeared
the appeals. Messrs. S. T.
-gaswami aiyer, Chavrim

Rec'd 8/8/1890

and T. Sami Ayer B.A. Reader.
Krishnaswami a daikkapattan
appellant told his vakil "mat-
ters have been made square
sir, you will have simply to
stand up and you will have judg-
ment." Sami Ayer who argued
the Case for the Respondent cried
out in Court to the Magistrate
"I know there is no use in my
talking but still I shall talk."

(2) Ranganadha Sawker is a
rich jewel merchant of Madras.
He has lands in Terkuchabam
a village in the Trichinopoly Taluk.
There was a possession Case with
egard to these lands before De-
uty Magistrate Chinnakesavalu.
he Case has been disposed of in
vour of the richer side. For this
Ranganadha Sawker was made
give a present of a beautiful
iamond ring worth Rs. 600. The
se was enquired into when
e Magistrate was Camping at
dayarpalliem. The diamond
ng was brought to Udayarpal-
m, and High Court Vakil Ram
swami Ayer, who conducted
the

Sawker has also seen
the mig. Rao Sahib Limamakes-
wara Ayer a rich miraasidar
also knows of the transaction. Peti-
tioner hears that Gopinath Sawker
of Madras son of Ranganadha
has got this same entered in his
book as if it were Commission
given to some men at Kannad
for procuring extensive sale of je-
wels to the Setupati.

(3) One Padmanabha Ayer of
Grizily Street was fined Rs 20 by
the Town Sub-Magistrate for an offence
under section 504 Indian Penal Code.
Padmanabhan appealed and got
the judgment of the Lower Court
reversed. Price of this sale of pis-
tols 50 Rs paid thro Hospital Assis-
tant Irumalai Naidu, who is keep-
ing the daughter of Padmanabha
Ayer. Dresser Irumalai was the
family physician of Chinnakesa
valu and gave him a feast at
time of departure. The way in
which the judgment is written
will shew how without even reading
the records he had dealt Corrupt
verdict. Sadasiva Bhut the
Complainant is mentioned as the

son

- 2 -

Sawker. The suspiciousness of the judgment was so glaring that Mr. O'Farrell, Sessions Judge referred it to High Court and High Court, Petitioner hearing, have ordered a retrial.

(4) One Srinivassa Raghava Aupengar of Srirangam brought a case of Theft of Paddy against Viswanadha Aiyer and others of Patchampett. The Sub Magistrate of Lalgudi after a very careful enquiry convicted them. This Conviction was set aside by Chinnakesavalu on appeal. Nataraja Aiyer of Patchampett gave a bribe of Rs 500 to Chinnakesavalu to do this. To repay himself this amount Nataraja Aiyer has taken mortgage bonds from Viswanadha Aiyer, in which it is specially mentioned that the amount of the bond was advanced by Nataraja Aiyer for expenses of litigation. It was originally arranged that the bribe should be the Phorton and Pegu Pony of Nataraja Aiyer; but as this would be too public, 500 Rs in Cash was agreed upon and paid.

It

the

of this agreement between Nataraja Aiyer and Chinnakesavalu that the Sub Magistrate of Lalgudi because he would not listen to Nataraja Aiyers recommendation should be transferred from that Division. Chinnakesavalu has only two well kept bhis word. The Sub Magistrate has been transferred to Turaiyur where he cannot get even drinking water. The absurd judgment written by Chinnakesavalu on appeal would show the motive. There was a rehearing ordered by the High Court on a petition for Revision put in by Barrister Norton. Nataraja Aiyer celebrated his triumph and gratitude in a grand picnic which he gave Chinnakesavalu on the evening before his leaving the District. There was also a photograph taken of the picnic assembly. Savaraja Pillai District Court Sheristadar had also been invited by Nataraja Aiyer for the picnic. But when he came to the place and saw it was in honour of Chinnakesavalu

he

if I had known this was to do ho-
nour to this rascal." and so he
abruptly left the place in disgust.

(5) One Chockalingam Pillai of
Pitchanderkoil died two years ago
leaving behind him a widow and
minor son by another wife. The
property left was large paying
about 10000 Rs Revenue to Govern-
ment. The uncle of the minor
was for placing the property under
the Court of Wards. One Kunjia
Pillai however got possession of
the property with the assistance of
the young widow and wanted
to manage the property himself.
He struck a bargain with Chin-
naksvalu, then Collector's Sheri-
stadar to help him to retain
the property. The price paid was
1000 Rs. Rao Sahib Umamahes-
wara Ayer was present in the
house of Chinnakesavalu when
Kunjia Pillai came to strike the
bargain. Chinnakesavalu kept to
his promise and got an order that
the property should be left with
Kunjia Pillai. The uncle however
would not keep quiet, but appealed
to the Revenue Board and to Govern-
ment and Government was at last
pleased to order that the Estate
should

should be placed under the Court
of Wards. Kunjia Pillai also gave
public expression to his gratitude
in a farewell picnic to Chinnaka
savalu.

(6) Some headmen of the Oilmongers'
Caste at Manatchanellur were
tried for defamation by deputy
Magistrate Chinnakesavalu.
They paid 500 Rs and got off.
The negotiation was conducted on
their Kunjia Pillai of Manatcha
nellur, the hero of the last para
graph.

(7) South Indian Railway Cash
keeper Sundaram Ayer lives at
Pandamangalum. His brother
was placed before Chinnakesava
lu on a charge of Robbery. Sunda
ram Ayer had to pay Rs 250 to
affect his brother's acquittal. This
250 Rs he got from Murugappa
Chetti, a Nattukottai Sowcar,
who keeps his shop in the Rock Fort.

(8) When Chinnakesavalu
was Collector's Sheristadar, licen
ses had to be issued [illegible] spi
in certain places. One Kuppana
gave 200 Rs to get him permi
- sion

tion for some shops. He got it at first. One Muttukrishna Pillai went up with a higher offer 275. Permission for some shops ordered and already given to Kuppana was cancelled and the licence for the same granted to Muttukrishna Pillai. Kuppana went and battered for return of the amount and created a scandal in the street. Private Vakil Chellappa Chetti, Record keepers Kristnia Naidu and Rathnavanni Pillai and Town Munsif Packiri Pillai interfered and prevailed upon Kuppana to keep quiet. Ra sahib Padmanabha Chetti knows of this Sivarama Ayer, Clerk, Collector's office was suspected by Chinna Kesavalu to have got up Kuppana and Sivarama Ayer was transferred to another appointment.

(9) Combaconum Swaminadha Ayer is now Clerk in the Engineer's office at Gulburga near Hyderabad. In 1872 he was Railway Goods Clerk here. In connection with that appointment, there was

a theft case against him which came on for trial before Chinnaka Savalu Kusturirangam Pillai. Chinnakesavalu's neighbour introduced the accused into Chinna Kesavalu's presence and paid Rs 1100 and the accused escaped. He went to Combaconum and brought the money. His Vakil N. Subramoni Ayer, First Sadr Pleader and the Vakil's Gumasta know about this.

(10) Mandimalai Pillai is the Village Munsif of Gudalur. He is a man that has some property left him by his miser father, and he takes a pleasure in spending it by giving bribes to officials. Taluk Sheristadar Appavu Pillai and Deputy Collector V. Muttuswami Ayer recently degraded by Government have profited by his generosity. In a case which his servants brought against his Dayadis of criminal intimidation he paid 500 Rs Cash and 250 Rs jewels. The 500 Rs Cash

was

was borrowed on a bond from money lender Arundanghi Irum Muthwami Chetti and the 250 Rs. jewels were made by the famous Jeweller of Wooiyur. On account of this bribe Chinnakesavalu Convicted the enemies of Manumalai Pillai. He knew his judgment would be reversed in appeal, and took care therefore to give the prisoners unappealable sentences. He gave them a month each. Poor fellows.—

(11) Against Periamma Pillai the brother of this same Manumalai Pillai, there was a case of Criminal breach of trust by one Ramatchi Muppan. The acquittal in this case was affected with a bribe of 1000 Rs.

(12) There was a case of Defamation brought against one Subramonia Aiyar by Contractor Kadirvelu Pillai. The accused gave 150 Rs thro' Kusturirangam Pillai and got acquitted. The said Kusturirangam first offered his services to Kadirvelu Pillai

but he would not avail himself of the same. The judgment written in the case will prove the perversity of the verdict.

(13) A minute before handing over charge, Deputy Magistrate Chinnakesavalu reversed a judgment of the Srirangam Bench Magistrates'. That date he sat only and specially for this case. S.T. Rangaswami Aiyar, High Court Vakil appeared for the appellants. Before the Vakil could talk, he reversed the judgment of the Lower Court and then asked if there were any grounds. The Vakil said there were discrepancies. That is enough said the Magistrate and wrote his judgment accordingly reversing with a single stroke of the pen a judgment on a question of fact arrived at unanimously by three Magistrates of Experience constituting a Bench. Petitioner hears that the District Magistrate Mr. Jewett has characterized the appeal judgment

as

is unconsidered & retirement does not know whether the Deputy Magistrate got any money for this murder of justice, but he is sure that this was not without a corrupt motive.

(11) Chinnakesavalu's relation Rangiah a worthless fellow since discovered by the Auditor to have Embezzled, was introduced into the Municipal office as Cash keeper during the short time Chinnakesavalu was officiating Chairman. Chinnakesavalu was afraid that that his successor in office Ranganswami Ayer elected Chairman would dismiss Rangiah this reversal of the Srirangam Bench Magistrates' judgment was done to conciliate Chairman Ranganswami Ayer who appeared as Vakil for the appellants in the said Case.

Schedule II

(1) K. Vasudeva Ayengar Rao Sahib is a rich mirasdar of Kodiakkam, generally for showing favour to him. Chinnakesavalu Naidu has received an illegal gratification of a gold watch. The same he is ever now wearing.

(2) A short time before his transfer from this District, Chinnakesavalu went on three weeks' leave to Madras. Two days before so going, he got 200 Rs from K. Vasudeva Ayengar aforesaid.

(3) Tolasi Naidu is a Municipal Inspector of Prohibition. For his son Chinnakesavalu has procured an appointment in the Kulitalai Taluk. The price of the appointment is 100 Rs. The same was managed thro' A.C. Ketnaswami Pillai, Record keeper Collector's office.

(4) Ramaswami Pillai of Varagavere has given 200 Rs to Chinnakesavalu. This was obtained on promise of a Clerkship, af-

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-ter all, a mochi's post was given to him.

(5) Manikka Mudali is the despatching clerk of the Collector's office. He was confirmed in that appointment only by Chinnia Kesavalu Naidu. The price paid for this is 200 Rs. Manikka Mudali had then no money to satisfy the demand. He therefore borrowed the money from Chidambara Mudaliar Municipal Councillor and a Sowcar executing a document in his favour for Rs 200. It is was sued upon in the District Court on the Small Cause side and decree obtained. If the records are searched it will be found that the date of the document is that of the Confirmation.

(6) There was recently a Petition before Government against a Narasimhulu Naidu late Head Clerk, Local Fund Engineer's office. Packiam Thomas Overseer (dismissed by the President Local Fund Board) since restored by Government

Government was the Petitioner. This Narasimhulu Naidu has a son named Bashyam. This Bashyam has been given a 15 Rs appointment in the Collector's office. The Consideration for this was a Benares silk and laced cloth, Chinnia Kesavalu's wife is now wearing. The grateful Narasimhulu sumptuously feasted the Deputy Collector at the Eve of his departure.

(7) Narrainswami Naidu is Record keeper in the Collector's office. It was in his house that Chinnia Kesavalu was first put up. It is he that goes on with the transactions. For a sum of 100 Rs paid to Chinnia Kesavalu as bribe he obtained for his nephew the place of an attender in the Taluk Board under the Presidentship of Chinnia Kesavalu. There was no such appointment before, nor was the same needed: But in order to earn the 100 Rs Chinnia Kesavalu created the appointment.

Narrainswami

(e) Narrain Swamie Naidu is a
bibi residing in Jaffnapatam
Street. He has a nephew named
Govinda Swamie. Narrain Swamie
Naidu gave Rs. 200 to Chinnakessa
valu in the shape of sundry jewels.
Chinnakesavalu was signing papers
for two days for Head Asst. Collect
or. With a view to make hay while
the sun was shining he appointed
Govinda Swamie in the Korambu
superintendentship at Rs 15. in
the Head Asst's jurisdiction.
but Mr. Jardine the Head Asst.
when he took charge the next day
got some smell of the matter
and cancelled the appointment.
Narrain Swamie Naidu began to
bother for the return of the 200 Rs.
He went with Chinnakesavalu
even as far as Erode on the day
of his leaving for Ooty. Chinnake
savalu sent him back saying
he will shortly be coming back.
when he will do something for
Govinda Swamie.

(f) Kanda Swamie Pillai
is now a clerk in the Head Asst
Collector's office Madura. He

was first introduced into the
Collector's office on Rs 15. A Palan
quin Coach and twelve Sovereigns
got him the appointment. His Palan
quin Coach was sold to Sanjivi
Rao first Grade Pleader and An
other of the Digest of Moore's Indian
Appeals. (30 Copies of which have been
purchased by Government) It
was being varnished and done
up for the said Pleader. It was
just then Kandaswamie's ap
pointment was made. Kanda
swamie's brother Constable Palani
Swamie only went to Sanjivi Rao and
said Sir Sam Sony to take back
the Carriage from you I want to
give it to Chinnakesavalu who
has given an appointment to my
brother.

(g) Krishna Aiyer son of the
Village Munsif of Vaithalaiguda
Nair has given Chinnakesavalu
a bribe of Rs 200 expecting a Clerk
ship. An attendership in the
Fishery Salute was all that he
was able to get. Our disappoint
ed fellow now grumbles.

(h) It was lately proposed
by a

by Government to curtail the Emoluments and to diminish the number of Stamp Vendors. Sundara Mudali Taluk Kacheri Stamp Vendor feared that he would be affected by it. To Rs in hard Cash and a coir worth Rs 35 saved him. Rs 35 of this was borrowed from 1st Grade Pleader Sanjivi Rao. Sundara Mudali cried to Sanjivi Rao that he was obliged to give this money to Chinnakesavalu the son of a dancing girl to save his appointment.

(12) Rama Swami Aiyangar is now Head Clerk Local Fund Engineer's office. He was a Clerk on Rs 35 in the Collector's office. Local Fund Service. He killed two birds in one stroke. He raised himself to the post of Head Clerk Local Fund Engineer's office and got his brother in law Ramanuja Aiyangar to succeed him. This was all through Chinnakesavalu, while he was Sheristadar. This was purchased

for Rs 500

(13) Appavu Pillai is now Deputy Tahsildar, Manapparai he was right hand of Chinnakesavalu in bribe negotiating. Mansion Pillai is bribe mentioned as No. 10. item in the Schedule was negotiated by him. The terraced roof of Chinnakesavalu's residence was put up by Appavu Pillai. Chinnakesavalu's water cart with cask and bull was purchased for him by Appavu Pillai. Even this man had to purchase his own promotion. From the post of Taluk Sheristadar Trichinopoly he was made Deputy Tahsildar of Manapparai. His son in law Shanmukam Pillai was also given appointment on Rs 10 in Chinnakesavalu's office. For all this, and for winking at Appavu Pillai's taking bribes in all cases before him Chinnakesavalu was paid

a lump sum of 1000 Rs.

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(1890.)

REVENUE DEPARTMENT.

No. 8181.

From

Gounidu Naidu
son of
Ethirajulu Naidu
Trichinopoly Fort
Trichinopoly Dist.

Dated 10 Nov.
Received 13 "
Enclosures 2

No. 5 & 7

SUBJECT.

Praying for an enquiry as to the corrupt practices of C. R. Chinnakesavalu Naidu B.A (now Dy. Collr. of Srivaikuntam) while he was Dy. Collr. & Magistrate of Trichinopoly Dist.

P. T. O

ABSTRACT.

S.O. 111

Transferred to the Collector of Trichy.

Rm
15.11.90.
~~46~~
4444 C.

This petition brings grave charges of bribery against Chinnakesavalu Naidu who was lately in Trichinopoly and is now acting as a Dy. Collector in Srivaikuntam. It is probably false throughout and it is doubtful whether any action should be taken on it. It is to be forwarded to the Collector. It is likely that he will be able to trace the source of the petition and to test the truth of the allegations without any official inquiry. He will be asked to report confidentially whether there are any grounds for holding a formal enquiry. The allegations are specific.

W. H. 20/11

GOVERNMENT OF MADRAS REVENUE DEPARTMENT

Revenue Secretariat,
20th Nov. 1890.

001

My dear Garrett.

I am directed to forward the enclosed petition against C. R. Chinnakesavalu Naidu your permanent Huzur Sheristadar who is now acting as Deputy Collector in Srivaikuntam. The petitioner makes a number of specific allegations against Chinnakesavalu Naidu and the Govt desires that you should make enquiries and report confidentially whether there are

any grounds for holding a formal investigation into the various charges.

Yours Sincerely
(Signed) C. A. Galton.

R. C. C. CYPHER
15 DEC 90
M. C.

GOVERNMENT OF MADRAS
13 DEC 90
REVENUE DEPARTMENT

Enclosing
letter from
Mr. Galton
stating that
practically
completes my
enquiries into
the petition against
Chenna Kesavulu
Naidu & my
recommendations

any grou... ...ader shall dis...
formal in...
riors cha...

(3) (2)

& now acting on
your amendments
referred to in your
O.O. of the 26th inst.
I am to state that
in case there
may be a delay
in sending my
report on it,
they ordinary
work has fallen

(1890.)

REVENUE DEPARTMENT.

ABSTRACT.

Copied

Report

on

the allegations against Chunna-
-lingam Ragoonathan, Assistant
Treasurer, and now Acting Deputy
Collector, Jaffna, contained in the
two Schedules forming enclosures
to Tamotheram Ragunathan's petition to
Government, dated the 10th November 1890.

Summary

of

Report

There is nothing to show that any bribe was given in the cases referred to in paras 1, 4, 5, 6, 7, 9, 11, 12 of Schedule I, or in the matters mentioned in paras 1, 2, 3, 4, 6, 7, 10, 11, 12, 13 of Schedule I (or in para 14 of Schedule I a)

2. The decisions in the municipal cases referred to in paras 2 & 3 of Schedule I and the appointment mentioned in para. 8 of Schedule II are suspicious, especially the decision referred to in Schedule I para 2; but there is no evidence of a bribe in any of these cases.

3. The charges made in the following paras. are, in my opinion, true; though in no case could a bribe be proved in a Court of Law:— Schedule I, paras 8, 10, 13;— Schedule II, paras 5, 9.

the bribe stipulated in the case of
schedule I from 13; but there might
have been some reason for re
posed in convict a decision.

Schedule I

Bara Act

Allegation. That the Enhancement
Administration and some others
having been convicted by the
Thirteenth Magisterial Technicians of
and Others did by the said Trespass
Act, entered Encouragement by
this Defendant Magistrate, to reverse
that conviction, as alleged, by having
having been arrested, through
Amin Rajapakse Police. The Warrants
issued in the absence, Investiga
Kanagasundaram & four others are
cited as witnesses, to prove the
bribe.

Description of the case.

The allegations are two factions
in the village in question, the
Complainant being the head

himself, the head of the other. The
Complainant has taken a bad turn
for from homeward, that is stood
by the passing of a certain Lane
bed with trees standing in it, and
the opposite fraction, which although
includes the mass of the most
respectable houses in
right. On the day of the alleged
offence the Complainant and his
companions (so their story
goes) found some of the accused
passing their cattle in the same
bed, and driving the trespassers
it held, and attempted to
drive them to the pound, when
the rest of the accused persons
came & rescued the cattle,
beat the Complainant &c &c
accounts of the two witnesses
agree, with the exception of a
slight discrepancy as to which

to the correctness
of the accused, one presumes
the first witness, and which came
after. The Complainant (whose
hands admitting the fracture alleged
by the prosecution) also in
evidence, admitted also in
cross-examination, that there
was a case of assault pending before the Police Court
in which the accused were
witnesses against him.
The only other witness of the whole
transaction was the son of the
woman living by the road, but
supported the prosecution, but
made an addition of his own,
viz. that the 1st accused struck
the Complainant a blow behind
his back on a point on which
the other witnesses had
nothing.
The only other witness was a

of Police Constable Connor and said (in the
hearing of the 2nd & 3rd witnesses driving the
cattle) and (if that) half an hour after,
he saw a crowd, and a row (4 wit.)
quarrelling with the accused persons.
The defence was alibi.

The Police Magistrate convicted the
accused persons of Assault [illegible] c. 245 - 50
under ss 352 & 426 R.S.C. & s. 24 of Act 51
/71, and sentenced them to pay various
fines, making a total of $160.

The Police Magistrate endorsed (C.A. 61/50)
his notes, as his judgment, that
were: "I give no account of the
allegation in the case, or of the
evidence for & against - it being
adverse to connection because the
2nd witness is the complainant's cousin &
the 4th witness a half-caste, whose complainant's
brother had once given evidence in
favour of the 3 witness, the Police Constable.
He also remarks that the Police constable
only said that there was a crowd, and that
he ought to have ascertained what the
crowd was doing. Having thus
disposed of the prosecution evidence
he says "I do not consider it necessary
to consider the nature of the defence".

9/ opinion as to the correctness of
dismissal.

The Police Magistrate's criticisms
on the prosecution evidence
are correct; but I
can find nothing on the record
in support of the statement
that the complainant's brother
over gave evidence in favour
of the Police Constable (3rd wit.).
The Police Magistrate might have found
indeed he ought to have found
more. The complainant and
the principal man among
the accused persons are
admittedly heads of opposing
factions, and the only evidence
of the whole
transaction was a cross woman
and the witnesses did not
altogether agree. The Police
Magistrate was certainly right

In reversing the conviction under Ss. 352 & 426 P.C. As to the former under the Cattle Trespass act there was in addition the Police Constable's evidence that he saw the cattle being driven by the Complainant and his consent was a question arising. This independent evidence was sufficient corroboration of the ~~former~~ two witness. Personally I think ~~that~~ I should not have considered it sufficient had I been the trying magistrate though, had I been the appellate magistrate, I don't think I should have upset the conviction under the Cattle Trespass act.

On the whole, nothing can

The said appellate Chairman's judgment dismissing the appeal of this case, I set out the judgment.

Statements of persons named as witnesses to the bribe.

Of the two Vakils named as witness, the one against the Vakil for the Complainant deposes all knowledge of the matter.

The core cent against him in the appellate Court is not a friend of Chamanlal Nanabhai, so far as I know; and he has no reason that I can see, to keep silence if he really knows of bribe having been given.

17/ The other Party, Ramjanmasharan, Chairman of the Municipality, was absent for the abbellant, although the story of the bribe, though he has no personal knowledge. He says Krishnasami Adigalabattar, (1st abbellant) came to his house a day or two before the hearing of the appeal, and told him he was going to arrange matters through the Amin Ranjaiya Pillai; and came again about 9 or 10 A.M. on the day of the hearing and said "Everything is settled. Sir, you will only have to stand up, and the Judgment will be passed." He appeared and argued the case; and the

17/ conviction was pronounced. I have therefore also the 2nd abbellant Krishnasami Adigalabattar and the Amin Ranjaiya Pillai the alleged go between. Both deny all knowledge of the matter. This was proposed to the respected The story of the bribe stems from Ramjanmasharan's statement. I do not consider that there is sufficient evidence to be of any value. He and Chennakesavulu Naidu are both interested. They were officials with the time of the election of Ranjaiya Ayar

(9) as Chairman of the Municipal Council and Chairman of the Rajendra Municipality against him, and rightly too, in the matter of certain land and water of Municipal Engineer reported to Government in October, as Honourable Mr. Rangasami Ayyar ~~Barrister~~ Lawyer to Chennakesavulu Reddi, and his unsupported testimony is of no value. It is to be noted, too, that the words he attributes to Krishnasami Aderikkaffattavar exactly those used in the Schedule. This shews that Rangasami Ayyar had some connection with the petition under report and evidences animus.

Opinion as to the bribe.

Nothing can be said against the decision; there is no evidence of a bribe and even no hearsay evidence of any value; and the amount named (11) was certainly not likely to have been given, for it exceeds by Rs10 the total of the fines inflicted.

I am not disposed to think there is any truth in this charge.

Para 2. Allegation that Rangnatha Thavan (a diamond merchant Tavoder, Town Chennakesavulu Reddi when buying diamonds ~~to decide~~ a diamond ring worth 1500 to decide a possession case in his favour, in the occasion of a dispute about the possession of certain lands.

Description of the case.

There is a dispute about the right to the Kusavaram of certain lands

(6) point in the petition (which was that it was to say Ramanatha Chettiar the owner and mortgagee having through his agent Krishna Nair viz: Madras, abducted to the plaintiff Viravichatti, under the possession clause of the Code of Criminal Procedure, stating that he feared a breach of the peace, and prayed that he be declared to be in possession. I showed and that Ramanatha Chettiar had had the crops harvested in the preceding year, under police protection. The Magistrate (who had then taken charge) heard the case personally in Aruppukottai Miscellaneous case No 3 (1901) took evidence on both

(3) ends; as to account of the following - issue, the evidence Ramanatha (in the decision in possession of it the widest of the to the widest of law;"

Examination of the case and decision is to the finding.

There was evidence to prove possession of each side; nine witnesses on either all of the same character, statements; side in and these was nothing to choose between the two. would be impossible on the If was I have gone through it carefully which evidence to say with side the actual possession lay, and the Magistrate ought to have proceeded under S. 146 Cr P Code and held the land under attachment. There was first one

66/ point in the petn
that ~~it~~ to say mentioned in para
the correctness of the decision;
viz. that the petitioner had
existing homestead the evidence
in the preceding year, under
Police protection. He had no
right to Police protection
that I can see; and he
probably bought it; but,
still, it might be argued
that he was in actual
physical possession since
that, whether rightly or wrongly.
I don't think, however, that
this argument would
amount to very much; and
there is nothing to show that
it furnished the reason for
the magistrate's decision. His
order consists merely of the
words I have quoted above
of any one.

65/ and does no account of the
point at issue, the evidence
of the reasons for the decision,
I am of opinion that the
s. 446 of the Code ought to
have been followed, and
that the Deputy Magistrate's
decision was incorrect.

Statements of persons named
as witnesses to the brawl.

The 2 witnesses named are
(1) Varadi Ramasami Ayyar, who
appeared for the petitioner
Krishna Bose, Ramanatha
Chetti's agent, & (2) Chinnathambi
Ayyar, a Municipal and
Municipal Commissioner.
The latter denies all knowledge of the matter.
He is not a friend of Chinnathambi
Mudali, and was on
the opposite side in the

66/ 68/ [illegible] the Coroner's

Court, being a subordinate to

Ramayanna Aiyan; and

he has no reason, that I

can see, for keeping silent,

if he knew anything.

Ramayanna Aiyan subscribed

the allegation. He says

Krishna Pozé, Ramanatha

Thahan's agent, the petitioner

in the case, showed him a

ring worth Rs 500 or Rs 600 &

said he was going to give

it to the Magistrate. The There

was no one there but

Krishna Pozé, Ramayanna Aiyan,

and a Tegalé Brahman who

brought the ring in & "casket"

and took it away again.

Krishna Pozé afterwards told

him he had given the ring.

Ramayanna Aiyan having made

69/ this detailed statement,

I examined Krishna Pozé,

but he denied all the

whole thing. He says, he

says, has shown a ring

to Ramayanna Aiyan, about

time a matter; but he

never showed him a

ring at Adaiyalapuram,

where Ramayanna Aiyan says

the ring was shown; and

he says he has no ring to

show nor ever had any

diamonds besides.

Opinion on the charge.

As before, Ramayanna Aiyan's

unsupported evidence is worth nothing;

& there is no evidence of

a bribe; though the decision,

considering especially the meagreness of

the final order, is a mere order

with no reasons of any sort

given, I think, very suspicious.

a little may have been given in this case, and it showed that probably was, though that is mere suspicion. The matter at issue was worth a heavy bribe.

Para 3.

Allegation. That Padmanabha Aiyar, having been convicted by the Town Sub Magistrate of an offence under S. 504 I.P.C. (insult with intent &c) and fined Rs 20, sued a recusal of the conviction, on appeal, by paying Rs 50 to Chamiappa Nayak, Deputy Collector, who heard the appeal.

Facts of the case. C.A. 50/50.

The prosecution evidence was to the effect that the accused Padmanabha Aiyar abused the Complainant in filthy language, and that there would have been a breach of the peace, by had not Complainant been restrained. The defence was that the abuse was directed only against the Complainant's father Balasubramania Thathan, who has swindled Complainant and many others in Trichinopoly out of large sums of money (Note. This swindler is a priest). The Sub-Magistrate convicted, finding that, even if the abuse was directed against the father, the offence was complete. On appeal (C.A. 50/50) the Deputy-Magistrate thought that the use of filthy language in abuse of the father did not amount to insult to the son; and reversed the conviction. The Sessions Judge referred the case to the High Court; and the High Court, in revision, reversed the acquittal, and restored the original sentence.

Opinion on the disposal of the case.

The Deputy-Magistrate's disposal

(60) A bribe may be seen given in this case, and it showed that there probably was, though that is mere suspicion. The matter at issue was worth a hearing by the.

Para 3.

Allegation: That Padmanabha Aiyar, having been convicted by the Town Sub Magistrate of an offence under S. 504 I.P.C. (Insult with intent &c) and fined Rs 20, secured a remand of the conviction, on appeal, by paying Rs 50 to Chamaiasawmi Iyengar, Deputy Mag. who heard the appeal.

Facts of the case. C.A. 50/10.

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(29) had not Complainant been restrained. The defence was that the abuse was directed only against the Complainant's father Balakrishna Thatha, who had swindled Complainant and many others in Trichinopoly out of large sums of money (Note. This swindle is a fact). The Sub Magistrate convicted, finding that, even if the abuse was directed against the father, the offence was complete. The Deputy Magistrate on appeal (C.A. 50/10) thought that the use of filthy language in abuse of the father did not amount to insult to the son; and reversed the conviction. The Sessions Judge referred the case to the High Court; and the High Court in revision, reversed the acquittal, and restored the original sentence.

Opinion on the disposal of the case.

The Deputy Magistrate's disposal

of the case was undoubtedly wrong. To abuse a man's father in filthy language, in the presence of his son, is undoubtedly to offer an insult to the latter.

Witnesses to the bribe.

There are no persons named as witness to the alleged bribe. The Hospital Assistant Tirunalli Nagendra, who is said to have given the bribe, denies it, as might be expected. Padmanabha Aiyar also denies it.

Opinion as to the bribe.

There is no evidence of it. Padmanabha Aiyar is an old man in rags, who has, I believe, been swindled out of all that he had by Balakrishna Thavan, a man who lately went up from Trichinopoly with a large sum of trust money. He does not look as if he could raise $50, the sum

23/ offered, nor would he have risked to win so much as $50, to cancel a fine of $20. The fact that the magistrate gave a wrong decision on a point that one would hardly consider capable of being argued, is against him; and a smaller bribe might have been given; but it is doubtful whether he would ~~have~~ think it worth while to take $10 or $15. On the whole I am not disposed to think that this case bears very much against Chennakesava Nagendra, notwithstanding his wrong decision.

the 3'05' accused pleading alibi. The ~~Police~~ prosecution witness deponed to the grounds mentioned above against

both sides, and also that the s'mitten (the prosecution) had the assessment for the previous year (the alleged was 18 months old at the material) ; and one witness, the 7th for the prosecution, deponed that the consideration money, the N300, was paid.

For the defence, ~~the~~ ~~for~~ five witness, the 3rd to 10th, deponed that the crop was grown by the 2'4th accused under the 12 accused, as alleged by the defence; the two more, the 5'6th, said they cultivated the land under the 1st accused Viswanatha Gowda in the previous year; one, the 4th, deponed that the consideration of N300 was not paid; and three, the 12, 2nd, 03rd deponed to the s'mitten for the prosecution (the complainant) having confessed that he had cut the crops from the boy Viswanatha Gowda, 1st accused by deceit. The remaining witness, the 11th for the defence. The Karnam, ~~was~~ was called to the defence. The Sub-Magistrate rejected the evidence of the defence witnesses for various reasons, and found that the s'mitten in the prosecution had proved that the possession of the land, and that, therefore, the cutting of the crop amounted to theft. He did not discuss the question of dishonest intention, one fact or material as that of possession; nor did he discuss the question whether all, or any some of the accused cut the crop. He inflicts fines of N50, 20, 5, 20, & 5 (making a total of N100. on all except the Debang Gowda, & abetted

Chennakesavulu Naidu, considered that the ~~cotton~~ matter was a

civil dispute, ~~about land~~ that ought not to have come before a Magistrate, and reversed the conviction, without discussing the evidence. The Prosecution writes, the Inspector petitioned the High Court, and the High Court remanded an issue ~~for trial~~ to the District Magistrate, with directions to record a distinct finding, as follows — "Are the Respondents (their appearance in the District Magistrate's) guilty of theft 1.378 I.P.C.; or was the paddy taken by the Respondents under a bona fide claim of right?" The District Magistrate found, on this issue, that they were not guilty of theft; and the High Court then dismissed the Revision petition.

25/ Opinion as to the disposal of the case.

The case was certainly not treated properly in the Lower Court; for the Sub-Magistrate did not discuss the question ~~of~~ contained in the issue finally framed by the High Court, viz:- whether the crops were cut dishonestly or ~~with~~ under a bona fide claim of right. The Sub-Magistrate (Chairman) has/ did not mention this point specifically in his Judgment; but the High Court drew his special attention to it; but his decision practically amounted to finding that there was no dishonest intention. The decision that there was no dishonest intention, and therefore no theft, was undoubtedly correct.

Ceo 2 Bo

Witness to bribe

Two witnesses are ~~mentioned~~ called in the Schedule. Between ~~us~~ again, a large discussion, whom I know very well, is said to have given the bribe. I have not summoned him, as I knew it would be no use.

Opinion as to bribe.

The decision in the case was correct; and there is nothing to show that any bribe was given.

The further allegation that Chennakesavulu bought over the Sub-Magistrate transferred to Tanjore as a bait consideration for the bribe, is certainly not true. I transferred the Sub-Magistrate on ~~my~~ my

27/ Srinivasachari, ~~on~~ entirely of my own motion. I had no recommendation or the subject, either from Chennakesavulu himself, or from anyone else. Srinivasachari is a man of ~~any~~ bad character; he had been in Tanjore for several years; several of his cases had a very suspicious appearance; and I had long intended to transfer him on the first opportunity. My bad opinion of Srinivasachari was formed entirely from his Magisterial work. Chennakesavulu himself never ~~made~~ said anything to me against him. If this I can positively

38/

Para 5.

Allegation.

That one Chinja Pillai (now Chemmankovil hospital, when on Thiruvadanai, Rs 1,000, so that the estate of the deceased Chokkalinga Pillai, of Bishandankovil, should be left under his management, and should not be taken up under the Court of Wards.

Facts of the case.

Shortly after Chokkalinga Pillai's death, a petition was sent by the minor's maternal uncles to the Court of Wards, praying for the Estate to be taken under management. The petition was referred to me for disposal. I sent it to the Assistant Collector in charge of Tuticorin for report. The Assistant Collector, in Pantalgu, having consulted the

38/

Taluk Peishkar and in his report, recommended the Estate to be taken under management; and forwarding the Taluk Peishkar's which also recommended the Estate to be taken up report, stated that though Ramaswami Pillai (alias Chinja Pillai) was a good character and not likely to do any intentional wrong, yet he was a bad manager of his own property, and so was not fit to be left in charge of the property of other people. (except hospitals) I sent to me for disposal with an affidavit (not a) prepared by the Peishkar, (the ~~became~~ English a Revenue Board clerk, the Tuticorin Court Interpreter, a other to head of a department of the office, ~~then~~ giving a short precis of the matter in orders with references to the various papers in the bundle.

The Chemistadar, Chunnambawanden Kandan, work the above work on this occasion, all Estate matters being in the Chemistadar's department, and sent it to me with the Assistant Commissioner and Tahsildar's reports, and all connected papers for orders. The above work fully all the facts of the case fairly and fully, including the recommendations of the Assistant Collector and Tahsildar and the Tahsildar's reasons, quoted above; and winds up by giving it as his (the Chemistadar Chunnambawanden Kandan's) opinion that as no mis-management has been proved, and as the widow was averse to the Estate being taken up, it need not be taken under management.

I went through the papers and came to the conclusion that, as no mismanagement was proved, and as the Estate was a small Pariahtarai one, with a revenue of some Rs 11,000 a year, [illegible] it was not worth taking up, and recorded the papers. The words betokened the Board again, and a report was called for, the result of which was that it was finally decided to take the Estate under the Court of Wards' management.

Witness Gabriel.

Chunnambawanden Kandan, a land-holder of Municipal Councillor, is the only witness cited to this head. He being

36/ the knowledge of the matter.
Kunji Patel, also known as Kuttuvanni Patel, also denies the bribe, and might be selected.
As remarked before, in June 2, Annamalaiyar was an opponent of Chennakesavan. He was also connected with the petition to the Court [illegible] and against the Estate being taken up. The Court [illegible] to be likely to [illegible] silently by knowing anything. He is, I believe, a respectable man.

Opinion.

There is no evidence of any bribe having been given. As to Chennakesavan's conduct in the matter, it is to be noted that his recommendation was contrary to that of the Tahsildar and the Divisional Officer. [illegible] it is quite possible that he was led

36/ to that recommendation, but there is no evidence of it.
I may note, though it is not altogether relevant, that a further reason for which I decided not to recommend the Estate to be taken up was the smallness of the Estate. I did not consider so small an Estate worth taking up, and I should have come to that conclusion no matter what the Tahsildar's recommendation was.
Small Rajahvari Estates which are not [illegible] the work of Estates conciliators by legislation V of 1904 and used not, I believe, to be taken notice of by the Court of Wards until recently. They used to be left to the Civil Courts, Government having

36/ no interest in the continuance of any States other than Travancore. This is not however, really relevant as circumstances happen did not refer to that point On the whole, I Chemmanthatta's character was free from suspicion, I should have no hesitation in rejecting this story; but, as some of the charges that I shall consider however undoubtedly are true, even true, suspicious, and the truth in this may be ~~in this case~~ in this case also. There however is no evidence against him.

37/ Para 6.

Allegation that certain members of the Nilackal congregation accused of defamation before Chemmanthatta Mooppan when acting magistrate in 1900.

Facts of the case.

The unmarried daughter of the Vaniya caste accused seven fellow castemen of having defamed her by saying, at a caste meeting assembled specially for the purpose of enquiring into her conduct, that she had had connection with a certain man. The defamation charged against the accused persons was contained in C.C. 14/50 and consisted of some words complained of. The complainant mentioned in the complaint - petitioner finding the accused guilty and sentenced them to pay a fine of Rs 500. The accused appealed to the High Court, and the High Court passed the following order:-

"We are unable to interfere. The imputation on the woman

appears to have been well-founded; and it was made in the ordinary course before the case reaching.

Witnesses called to bribe.

Two witnesses are called to prove this bribe. I cautioned them separately, the alleged co-bribers, as I had sent for him in connection with para 5; and he denies it.

Opinion.

The deputy-keeper's decision in the case was perfectly correct; and there is no reason to think that any bribe was given.

44/

Para 7.

Allegation. That one Subbaya brother of Sundaram aria, a cash-keeper on the S. I. R. (now when deputy-magistrate) Chinnakonda charged Rs 250 to secure an acquittal on a charge of Robbery.

Facts of the case.

Complainant and the first accused (there were two accused & 2nd being the servant of the first) were school boys. They had a dispute about a book. The complainant's story was that the two accused overtook him as he was going to school in his bandy; & that the second accused, the servant, stopped the bandy under the 1st accused's orders & pulled the complainant out and beat him, and gave the books to the 1st accused Subbaya, who walked off with them.

The 2nd & 3rd witnesses, schoolboys, deposed that all that happened

¢ 42/ was that the 2nd accused, the servant stopped the bandy and cut the Complainant out. Nothing further happened, these witnesses say, beyond hard words; and they do not say that the 1st accused Subbaiya was present. Five other witnesses named subbaiya the Complainant in full; but two of them were only hearsay witnesses; and the remaining three the Deputy Magistrate considered interested, one being a near relation of Complainant, another being a pallar lessee of Complainant's bandy, and the third being under an obligation to Complainant's father.

The Deputy-Magistrate discharged the 1st accused Subbaiya under s. 253 Cr. P. C.; and, having heard the 2nd accused, the servant, divers witnesses, convicted the 2nd accused, the servant, of assault, in having stopped the bandy,

¢ 43/ and fined him Rs 10.

Witnesses to bribe.

No witnesses are cited to the bribe in this case. It is stated that the money was not given to a Peruka Immigration Clerk at all, but he had come to Colombo, and refused to examine him.

Opinion.

The Deputy-Magistrate's decision was correct. He was bound to discharge the 1st accused, on the evidence of the 2nd & 3rd prosecution witnesses, who were apparently the only disinterested witness. There is no reason to think that any bribe was given.

Allegation. That one Kuppanna Chetti gave Chennaiswamy Gounder, when Collector's Sheristadar, Rs200, in order to get licenses for certain opium shops; and that one Kunthuthirisha Pillai obtained from him Rs75; whereupon some of the licenses already issued to Kuppanna Chetti were cancelled & licenses issued to Kunthuthirisha Pillai.

Facts of the case. There is a substratum in the allegation. ~~Ganja~~ Ganja shops are intended; not Opium. Opium farms are, of course, sold by auction, and there can be no favouritism.

~~When~~ It was decided, to ~~prohibit~~ prohibit the sale of ganja ~~except~~ except under license, and to limit the number of

[3] shops. Proposals were called for by the Board, as to the number of shops to be allowed. I fixed the number at eleven for the district, of which ten were to be in Tirchy & Srirangam towns. Applications for the shops came in, some applying for all the shops, and some for one or more shops. I reported to the Board that there was competition for the shops, & asked permission to sell them by auction. This the Board refused; and, as I had no means of deciding between the rival applicants, I gave all the shops to the first applicant Venkatarama Chetti, father of the Kuppanna Chetti mentioned in the allegation, one of the other applicants, Kunthuvirarn Pillai (not Kunthuthirisha Pillai ~~E~~ the name given in the allegation) petitioned the Board; and the

Board, having got a report from me, said that it was wrong to give all the shops to one man, especially as he was an obscure renter (Venkatarama chetti is a large grain farmer); and directed me to distribute the shops. I then distributed the shops among the four of the seven applicants whose character I could learn something of (the two of the remaining three lived in distant towns) i.e. giving one shop each to two men who had applied for only one each, and dividing the remaining eight town shops equally between Venkatarama chetti & Subbiah Pillai, leaving Venkatarama chetti the eleventh shop at Kulittalai, the only shop outside the towns.

had been cancelled, he had made Chennikesavulu responsible & had thus no voice whatever in either giving all the shops to Venkatarama chetti in the first instance (for I did it myself without consulting him — his office not sending up the matter for orders owing to the names of the first four applicants, and made no recommendation —) or in cancelling some of those shops & giving them to him afterwards, as it was done under the Board's orders.

Witnesses to the bribe.

Two witnesses are named in the case, Padmanabha chetti and Lakshmana chetti, both municipal councillors, the latter being named in the subsequent petition sent to me. Both deny all personal

knowledge of the matter; but they say they have heard ~~it~~ of it.

Padmanabha Chetti says the story was common talk in the town, and that he has heard ~~it~~ of the bribe "from all the people in the town"; but he professes himself unable to give the name of a single person that he heard it from. Lak

Lakshmana Chetti says that he saw a crowd in the big bazaar one day, and was told that Kuppanna Chetti had stabbed Chennakesava Reddi as he was driving in his coach, and cried for his wrong deeds, and that Chennakesava Reddi had taken him away to his house. He afterwards saw Kuppanna Chetti and questioned him; and Kuppanna Chetti told him he had given Rs200 to Chennakesava Reddi; and that, as his license

had been cancelled, he had cried for his wrong deeds, and Chennakesava Reddi would not give it.

These witnesses are respectable men, who have no animosity against Chennakesava Reddi, so far as I know.

I examined also Kuppanna Chetti ~~thought~~ I ought, perhaps, to have given his evidence first, though he was not cited as a witness. He deposes that he and his father Venkatanna Chetti gave Rs200 to Chennakesava Reddi, in his (Ch. Rs) house, no one else being present - but Chennakesava Reddi's dhalagat Balakrishna Reddi, who had arranged matters, in consideration of his having got them the shops. Afterwards, when some of the licenses were cancelled, he asked his wrong deeds; but Chennakesava Reddi would

52/ taking the case. Chittaranjan Chetty then went away. He met him again subsequently and Chittaranjan Chetty said he was not prepared to go on with the case, as it would be unsafe to proceed against an Accused.

This witness had the appearance of telling the truth; but in fact he has not the very best reputation as a Cadet.

Record-Keeper Ratnasamy Pillai was a most unwilling witness. He lives about ten houses from the house where Chengalvaroya Pandaram lived, in the same street. He says he knows nothing personally; but was told by his friends that Kaliyan Chetti came and made a noise in the street saying he had given money for his licenses, and demanding his money back as he had not

53/ got the licenses. He denies having seen or heard this performance, which is referred to in the allegation in the Schedule, and he does not remember who it was that told him of it.

This witness was evidently speaking the truth, so far as he went; but I believe he knows a good deal more than he says. I believe he witnessed the transaction that he refers to. The witness has no possible animus against Chennakesava Pandaram. On the contrary, Chennakesava Pandaram has given evidence in his favour, on the occasion of his appointment to his present post.

Opinion.

I am convinced that this charge is true; though, as the only direct evidence in

54/ support of it is Kuppuswa Chetti's own; it could not be proved in a Court.

Chinnakannu Gounder had really no voice in the matter, & made no recommendation, as I have shown above; but that would not prevent ignorant people from thinking, or believing, that he had, & would. I am inclined from Kuppuswa Chetti's statement that the money was paid after the grant of the eleven shops.

55/

Para 9.

Allegation. That Chinnakannu Gounder, when Deputy-Inspector, was fined 1400 to acquit one Combaconnum Swaminatha Aiyar (formerly Head Clerk in the S.I.R., accused of theft before him.

Facts of the case, c.c. 104 of the records of the Deputy Insp. Trichy.

In the year 1877 the accused Swaminatha Aiyar, then transhipping clerk in the service of the S.I.R. in 1877. Goods were stolen from the wagons going through the Fort-station in that year, and some found on search in the house of Subba Aiyar, brother of Swaminatha Aiyar, the accused. It was alleged that the accused used to abstract the goods, and send them to his brother by two porters named

5th/ Kiamudin (?) and Lingayan. Kutta aiyan was convicted by the then District Magistrate of Ulundurpet under ss. 411 & 414 I.P.C. in C.C. 31/71 and the both Lingayan in C.C. 32/71 of an offence under s. 381 I.P.C. Kutta aiyan then stated that he got the things from his brother Swaminatha aiyan who could not be had then absconded, and could not be found.

Kutta aiyan is now dead, and so is one of the both; and the other both cannot be found.

In the present case the theft and the finding of the things in Kutta aiyan's house are proved, as before, by the 3, 4, 5th prosecution witness; and that was all the evidence before the Court. The first two witnesses, the Inspector and the Post-Station master and the Peon

5th/ Inspector, their evidence personally; and the 6th and remaining witness a Police constable only deposed to having arrested the accused at Kaidaiadu, when he was not employed. There was absolutely no evidence before the Court to connect the accused with the theft, though there can be no moral doubt that he was guilty; nor was there any chance of evidence being discovered, and the Acting Magistrate had no option but to discharge the accused.

Evidence to the both:

b. Subramaniya aiyan, the Vakil employed for Prosecution aiyan, and his counsel are named as witness to prove this both.

Subramaniya aiyan says he knows

686/ nothing personally, but that he heard some time after that 1400 had been given to Chinnakaruppa Nadar besides the Deputy Magistrate for his decision. He says it was one of Swaminatha Aiyar's relations that told him; but he can't give the name.

The witness observed to me to be unwilling. He told me his grounds. I knew nothing as I did not consider it necessary to send for him.

Kasthuriranga Nadar, named as the go-between, denies all knowledge of the matter.

Opinion.

The Deputy Inspector's decision was correct; and there is nothing to shew that any bribe was given.

5/57/ Para 10.

Allegation: That Chinnaiah Nadar, Village Munsiff of Sudalai, Chinnakaruppa bribed him in cash and 1250 in jewels to convict his opponents of criminal intimidation.

Facts of the case. C.C. 12 on file of 1st Munsiff's Court.

There was a dispute about the distribution of water. Both sides complained to the Deputy Inspector. He dismissed both complaints under S. 203 of Cr. P. Code and the Village Munsiff petitioned the Court that complaint to be taken on his file and the witnesses heard. That is discussion completed. The prosecution was that Chinnakaruppa, the Patkaran and Munsiff of the Village

60/ was letting water into his master's
land, when the two accused persons came
up, and quarrelled with him, and
were only stopped from beating
him by the insane of the 2nd
witness; and finally continuing
threatening to kill and
kill him. Four witnesses were
examined for the prosecution;
including the Complainant, and
himself. The magistrate remarks
that they are "all uninterested"
The defence was alibi. The
The accused persons admitted
a quarrel with the Complainant
but said it was on the day
before, and that on the day
alleged they were absent, lodging
Complaint before the Village
himself of battery committed on
him by the Complainant, the
counter-complaint referred to
above.

61/ Seven witnesses were examined for the defence; from the immediate vicinity, a point on which there can be no doubt; two of whom the previous day; assault — the Defence magistrate evidence contradictory found ——; three to prove ~~that~~ the alibi, that they were complaining of that assault at the time of the offence alleged in the present case; one of who ~~those~~ deposed that he was working in the field near the scene of the offence, and that nothing of the kind occurred; and one the Complainant, who was summoned as the 2nd defence witness, to what reason it was very clear.

The defence magistrate rejected the evidence of the alibi, as given by three, it only showed that the accused were, 3/4 mile off at a slightly late hour. The evidence

62/ of the 10 witnesses, who said nothing happened; he ~~the~~ writes is unreliable ~~in~~ ~~to~~ ~~the~~ ~~the~~

The District Magistrate convicted the two accused and sentenced them to one months Rigorous Imprisonment each.

The sentence was not appealed. The accused have petitioned the High Court; and the High Court passed the following order "The sentence has long since expired; and besides no point of law is involved. The petition is not pressed, and we dismiss it".

Witness to the Incident.

No witness to the incident were named in the petition now under report; but the subsequent petition submitted named Mr. Salisbury, the Pleader engaged by the Complainant in the case; and I have examined

63/ him. He denies all personal knowledge of the incident; but he says he suspected at the time that the magistrate had been "bought" for the following reason. Mr. Salisbury told the Pallan, the complainant, to bring him the witnesses beforehand, so that he might see what they knew about the matter, according to his usual custom. The Pallan did not; and he came to him about the day of his omission or the day of trial. The Pallan replied that it did not matter; that the matter had been settled. Further, after the hearing, the Vakil on the opposite side, Raghavaiyangar, Coffee Agent said the magistrate had got Rs 300.

There is no doubt that Mr. Salisbury spoke the truth, as far as he went. He may know

62/ ~~more~~ more; but, in any case, the statement of the complainant given by him is highly suspicious.

Arandenghi Emmanuele, the person from whom the Village Assistant ~~had~~ got the 1500, says he did ~~not~~ advance 1500 to the Village Assistant. Emmanuele Nelli, on a "note of hand" (= promissory note), but that he does not know what Emmanuele Nelli wanted the money for. I omitted to ascertain the date of this loan. I shall get it and compare it with the date of the trial, and report the result.

Opinion.

There is no evidence that a bribe was given in this case, but there is little doubt that there was. The evidence

63/ on both sides was of much the same character, and it would be impossible to say which spoke the truth. Further the Accused said to have been used, even if proved, is a mere everyday ~~thing~~ among low-class Neapolitans, never attended or understood to mean what the words would mean if used by a sober-thinking person; and it is doubtful whether it could properly be held to amount to criminal intimidation. Grivoni's evidence, even if true, is irrelevant to the charge against the Accused, and influence ~~of~~ on the Judges' conduct. This might not have been a conviction, and the rejection of a sitting Magistrate which then was no doubt looks bad. The would be the ordinary punishment. Mr. Salisbury is rather a friend of Chiaradia's friends, and would not speak falsely against

66/ him. He could not admit knowing more than he says without damaging his professional reputation; but I should say that he has known more. I believe a bribe was given in this case.

Para. 11.

Allegation. That Chemakkandy Kandan received a bribe of Rs 100 to accept Periyanna Pillai, brother of Village Munsiff Ramasamy Pillai, on a charge of Criminal Breach of Trust.

Facts of the case. C.C. 85/05 on the file of this Court.

The allegation was that the Complainant paid the accused Periyanna Pillai Rs 50/- in discharge of a bond debt, but that the accused did not return the bond;

65/ and was taken as a compliment of an offence punishable under S. 420 I.P.C. cheating & thereby inducing delivery of property.

The defence was that the money was paid on account of, and was credited to, a totally different debt.

The Complainant and four witnesses deposed that the accused promised to return the bond, if the money was paid; although but the Complainant denied payment. Complainant and two of the witnesses admitted having given evidence against the accused before and the other two witnesses belong to a different village, and one at least could not explain why he was there, at the scene of the promise alleged. The remaining witness, the 6th, deposed only to the payment and said nothing of a promise to return the bond.

66/ The Magistrate (Cunningham Esq) held that there was no evidence of Cheating, and discharged the accused under S. 253 Cr. P. C.

Witness to Both.

None named. Mr Pakshisamy knows nothing of this case.

Opinion.

The Magistrate's decision in this case was correct, and there was no reason to think that a bench was wiser. That Rs 1000 should be sued in such a small matter, of course absurd.

67/ Case 12.

Allegation. Bribe of Rs 150 paid through Kasturiarachchi Peiris to secure acquittal of Subramaniam accused of Defamation.

Facts of the case. Cs. 1/90.

There were two accused persons in this case, the first being the Subramaniam above named. The Complainant and the two accused persons were contractors. All three tendered for a certain contract to the agent-P.C.A. The 1st accused's tender was the highest and was accepted; and this acceptance was subsequently cancelled and the contract given to the Complainant instead on the receipt of the agent P.C.A. 2's letter. Subsequently to be known the 1st accused, withdrawing his tender. Another letter was also received by the agent-P.C.A. purporting to come from the 2nd accused, rejecting the 2nd accused's tender.

Both the accused persons, bearing
of their letters, went to the accused
Veni, and told him that they had
not written the subsequent
letters retracting & withdrawing
their tenders, and that they
suspected the Complainant
had written them. The 1st accused
then cut the contract. This
statement of the accused, that
they suspected the Complainant of
having written the letters constituted
the defamation alleged. It was
said also that the accused had
made similar statements in
the bazaar.

The magistrate held that the
~~defamation~~ words alleged did not
amount to defamation, &
the case ended, exception [illegible]
application was made to me to review the
witnesses to truth. discharge declined to
interfere, having read the evidence.

---

home named; and the
alleged pro- between Chastiar
Ramasamy Pillai denies it.

71/

69
21/ Opinion.

The decision was perfectly correct,
and there is no reason to
think that any truth was
given.

Para. 13.

Allocation.

That he reversed a conviction
of the Magistrate Bench Vracitota
"before the Valid could take it, &
then asked if there were any
points" he learnt is alleged
in this con. Para. 14 says the
record was to blame the
Valid Ramasamy Aiyar.

Facts of the case. C.A. 63/50.

The allegation was that the
three accused persons, all
who are rivals of the Complainant
in the milk trade, attacked and

Complainant and beat him.
The decision was this:
The Police Magistrate convicted J. Hunt, 1. 323 & 1. A. C.
The written judgment runs as follows: "Third one discrepancies "of a material nature in the "evidence of the prosecution "witnesses.
"The petition of the accused to "recall and examine some "witness was rejected, contrary to "the provisions of the procedure.
"I therefore reverse the judgment "of the Lower Court and order that "the fine levied be refunded."
How there was no difference of any kind in the prosecution evidence was this. The Complainant said that the three accused attacked and beat him, the 1st & 2nd accused with their hands and the 3rd with a stick; while the four witness said that the 1st and 2nd accused caught Complainant by the hair and

beat him and that the 3rd accused stabbed him; that in Complainant made no mention of having been caught by the hair; while his four witnesses did. The Police Magistrate noticed the point in their judgment. They thought the discrepancy not material, as the accused would have to prove Complainant somewhere in order to beat him.
The refusal to recall some witness is not supported by the record. It was apparently a mere allegation of the Pandit.
The appeal Judgment, in is to be noticed, does not describe the offence alleged, or the evidence for & against it.

Opinion.

The reversal of the conviction in this case was quite improper.

and, though not actually the largest, probably the most prominent of the Rajahmundry landholders of the district. I believe him to have evaded the truth. Chennamsetti but, of course, no business to buy the watch, or to offer to buy it; but there is nothing to support the statement that he bought it. Or nothing.

Para 3.

Allegation.

Bribe of Rs100, paid through Kesavakaja Ratnavarmi Pillai, to obtain the son of Tulasi Ramudu, Municipal Inspector, Tadimalpad, to a post as Kurtalam Talaiari, when Ch. Lingaraju.

Facts.

Muttukrishna Ayyadu, the man referred to, acted in various posts from 1886. In 1888 he was appointed by the then Asst Collector to act for one Rama Das Rao, who had applied for pension. It was found that Ramadas Rao had four more months more to serve; and he was asked by Government to serve it out. He returned, displacing Muttukrishna Ayyadu. He again retired, after the end of the four months, and the then Ag Asst Collector, Mr A. Ramachandra Rao, appointed Muttukrishna Ayyadu to act again pending the sanction of Govt to the pension. This was early in 1895. There was a change in the Office of Head Asst Collector, before the Government sanction was received for the pension; and, when the sanction was received, their Hd Asst Collector appointed another man permanently to the post. Muttukrishna Ayyadu attended to me. Chennamsetti happen but the facts before me in an official note, correctly and fairly (I can verified them all), and pointing out the injustice to Muttukrishna Ayyadu. The Asst Collector, on his appointment, had not cancelled the reason for

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No 1/ ousting Kuttathichan Nayar, the man first in point of time entitled to be confirmed by his predecessor; and I therefore allow the order of confirmed Kuttathichan Nayar.

Talosi Nayar & Ramasami Pillai both deny the bribe. This I cannot under the circs in any case.

Opinion.

There is nothing to show that a bribe was given in this case. Chemmakkadan Nayar's statement was subsequently corrected first.

Para 4.

Allegation.

Bribe of Rs200 to appointment to Ramasami Pillai.

Facts: Ramasami Pillai is an F.A. He was appointed Amin in August 09. was Estate clerk before that. No witness to bribe.

Pillai Opinion.

The proof of bribe is not too high for an F.A. I have allowed even some F.A's, to Clerks' posts. There is nothing to show that a bribe was given.

Para 5.

Allegation.

Bribe of Rs200 paid by Kamikka Kundali; clerk Collector's Office, to the Amin of his confirmation; the money being borrowed from Chidambara Kundali, a municipal Councillor, on a document; all drawn and on in the District Court.

Facts:

Kamikka Kundali is a Kuttichetti. He was confirmed on 1/05 and appointed Amin on 1/20 of Dhanu willocce in December 1908. The draft order for this double appointment is in Chemmakkadan Nayar's handwriting; but it is not alleged that any

84/ of daks is very suspicious.
Ramidin himself too, has not the
appearance of telling the truth.
Though it would be impossible
to prove it, I fear this charge
is true. I was bound to confirm
the acting arrangement; but the
clerk may not have known that;
a promise may have been
given when he was first appointed
to act in the previous year.

Para 6.

Allegation. Belief of a Bunas cloth
for the appointment of Bhoshyam
Hazarika, son of Ramsinhuba
Hazarika, L.D. Inquiries late Head
clerk. No witness.

Facts.
Bhoshyam Hazarika is a matriculate
He was first appointed to act on
Rs 65 by Willcocks, then Ag Collector in
October 1911 (the draft order) in
Chamaiguri Hazarika's hand) and
confirmed & one in August 1912 in
the same order as that appointed to
in fact is to be now acting in the
a

87 same management.

Opinion.

There is nothing to show that
this charge is true. Chamaiguri
never said a word to me in
favour of Ramsinhuba Hazarika,
when enquiries were being made
about him. When I passed
the order confirming the acting
arrangements on the retirement
of Ramson Rao, it was not
brought to my notice that I
was confirming a son of Ramsinhuba
Hazarika; but even if it had
been, I don't see that I could
have turned him out when
he had been acting for about
10 months, and there was
nothing against him.

Para 7.

Allegation.

Bill of £100 for creating the post of attendant in the Tachinabhoj Taluka Board, and appointing to it the nephew of Ramanuja Lingu, the Board Chairman.

Facts of Division. This charge is proved to the attendant has been found necessary for all Taluka Boards. The creation of this post was decided on by the District Board. There is nothing to show that a bribe was paid for the appointment of Ramanuja Lingu's nephew. Caste favouritism does not in itself amount to an offence.

Para 8.

Allegation. Bill of £200 to appoint one Govindasami Iyengar, brother of Ramanuja Iyengar, named Chairman, Superintendent in the Head Office Collector's division.

Facts. Chennikamala Iyengar, when acting Collector was in charge of the Head Assistant Collector's division. He was away 15 days in addition to his own division of Tachinbhoj Taluka pending the arrival of his Successor.

The post of Korambu (= deputy) Superintendent on £15 fell vacant. Chennikamala Iyengar filled up the post at once, appointing Govindasami Iyengar,

assistant of letting the appointment wait for his judicial to make as he ought to have done. He had some similar & irregular appointments in the ordinary staff, and I, the inquiry, & appointed the ~~the~~ out & when he joined to cancel with his judicial & them and make his own appointments. He did not ~~x~~

Opinion

The remarks on boundless orders of appointments were contrary to the Rules. He was only in charge for a few days, and were very unfortunate. It was a pity above of bonds to attempt to push the division in a few days. The Border banyumasan boundaries being given any benefit to them is nothing to show that enough was given. Long may have been given, or caste-feeling owned account for it.

29/61 Para 9.

Allegation

Bribe of Rs 1000 to Chinnaiyan coach and twelve sovereigns for the appointment of Kandasawmy Pillai to his first post on Rs 15 in the Collector's office. The coach had been sold to Sanjivi Rau Pleader, and was being varnished and done up for him; but was taken back from him and given to Chamiksundra Mudaliar, the Sheristadar.

Facts:

Kandasawmy Pillai's first appointment to ~~x~~ was before Chinnaiyan to boundless became Sheristadar. He was confirmed in 1860 after Chinnaiyan had become Sheristadar.

persons known to Kandasawmy Pillai, the Vakil, Sanjiva Rau was in treaty for a coach about the time of Kandasawmy's confirmation, viz

He is a B.A. There is nothing suspicious so far. It is clear however from the statements of the

84/ 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000

Remarks on the negotiations since broken off and that Kandasami died and that the cooly became the property of Chemmakkanda Gowda

Evidence as to bribe.

I have examined
(1) Varde Sanjiva Rau
(2) Kandasamie Pillai (through the Head Interpreter)
~~(3) Vadde Sanjiva Rau~~
(3) Peter Constable Palaniyandi Pillai
Pangali of Kandasami Pillai
(not a brother as stated in schedule)
(4) Sheik Ali } Keepers of driving
(5) Ahmed Bakshu } stable & carriage
repairers.

Varde Sanjiva Rau says he asked the Sub Club Assistant, Kamarami Pillai, about two years ago, to get him a coach carriage. (Ramasami Pillai was Kandasami's brother, though the Varde professes not to know this) and used to hire coach carriages for him. He was allowed to keep one coach in the Club Compound, in case it might be wanted by members). Ramasami Pillai took

I believe this witness, Mr Lee to the Club stables, and observed him a palanquin coach. Sanjiva Rau agreed to buy Mr Lee's horse and took it to his house to see whether his horse a pullowan was strong enough to pull the coach. He then complained of the harness, and cancelled the bargain, finding that Mr Lee's horse was too heavy for his horse. The owner of the horse was Mr Lee who had not coach boy, and not to know other constable Palaniyandi Pillai, a Kandasami Pillai. The carriage, he says, was not in good repair; but he did not begin to paint it for some time after that Chemmakkanda Gowda had the coach; but says he does not know how he got it or what he paid for it.

52/ This witness' demeanour did not impress me favourably. He was highly nervous, though he had no occasion to be nervous, if he were telling the truth. Some of his statements are certainly false, as will be seen from the statement of the other persons examined, viz (1) that he does not know who the coach belonged to; ~~that~~ he was a friend of Ramasami Pillai and must have known he hired and sold coaches; (2) that he does not know the Pillai constable Palaniyandi Pillai mentioned in the schedule (Palaniyandi says ~~he~~ having told him about the coach ~~he~~ before going to Ramasami;

~~football~~ (3) that he does not know Kandasami Pillai, who was brother to, and lived jointly ~~as~~ in Trichinopoly with, his friend Ramasami Pillai, further Kandasami says he knows him

53/ I believe this witness to be ~~a~~ not telling the truth. He is respectable, I believe; but was apparently ~~Kandasami Pillai~~ afraid to tell the truth.

The next witness Kandasami Pillai denies all knowledge of the whole matter. He says his brother Ramasami, now dead, the Club writer, had Palaniyandi's articles; but he does not know whether Ramasami ever hired Chinnakkanda's coach. He knows Vadivel Sangiya Nayi; but he denies having sold him a coach and then cancelled the bargain. He denies having given Chinnakkanda beyond a coach a rowengis or anything else.

This last denial was to be expected. His denial of knowledge as to whether Ramasami ever hired Chinnakkanda's coach, or not, beyond not a coach from his brother, with whom

56/ describes; took place in the
incident in which Kandasami
Pillai was confined; and that
Ramasami Pillai died shortly
afterwards.

This witness had the appearance
of speaking the truth; though it
was but fair to note that
Kandasami Pillai describes him
as his "enemy".

Ethen examined Sheik ali,
mentioned by this last witness.
Sheik ali denies having reported
the coach himself. The work
was done, he says, in his stables
by another man, Khadir Badsha,
who brought it to his stables
along with Kothandarayan Pillai
(an Estate boy, mentioned in
Schedule I paragraph), and said
it belonged to Chennakesavulu
Naiken. The coach stood there
(as a 20 days, while Khadir Badsha

57/ was working at it; and then
Kothandarayan Pillai took it away.
witness knows Pillai constable
Balanjandi Pillai and Varde Sanji
Rau. The former never came to
him, as Khadir Badsha was the
man doing the work. Does not
remember Varde Sanjiva Rau
coming to look at the coach.
Ethen examined Khadir Badsha.
He says Ramasami Pillai and a
Tamil man whom name he
does not know (probably Kothandara-
yayan Pillai) came to Sheik ali's stables,
took him to Sheik ali's stables,
showed him a coach and asked
him to paint it. He agreed to
Rs5; and did the work there
in Sheik ali's. ~~He then took~~
~~was done Ramasami Pillai~~ witness
does not remember the Pillai
constable Balanjandi Pillai telling
him to hurry the work; but

56/ Ramasami Pillai told [illegible] he would be angry if he did not finish the work quickly. When the work was done Ramasami Pillai paid a Nayakkan whose name he says he does not know, came and the Nayakkan took the coach away. Ramasami Pillai said [illegible] the 25 agreed on and gave him also a present of a cloth.

Opinion.

It is clear from the above that Chinnaswami hired from [illegible] a palanquin coach from Ramasami, Kandasami Pillai's undivided brother, who lived and ate with Kandasami Pillai, about the time of Kandasami's confirmation in my office, that a bargain for the sale of the same coach, made just before, with Varde Sangiva Rau, was

55/ broken off and [illegible] for the reason advanced by the Chinnaswami himself that Kandasami wanted it (Varde Sangiva Rau [illegible] the reason for it is not true, for the palanquin is not his, for the coach a light one can drive a small country [illegible] Chinnaswami himself used to about 14.2 hands in it); that Ramasami, having [illegible] the coach [illegible] and was present the statement) and [illegible] to finish the work quickly, that the coach [illegible] though the Chinnaswami [illegible] brother [illegible] years preceding. Pillai's evidence on the behaviour of Kandasami in the matter was interested in [illegible] for he [illegible] asked the Pillai constables to use his influence to hurry the work. The

500/

statement in the schedule
that the bullock with saliva that
was not cancelled but after the
~~the~~ coach had been taken to the
coach house, although not correct,
~~If was afterwards taken to the~~
for it was described as
Chennakesavulu bagadu when
taken to be repaired, but the
point is not material.

The death of Kannasami Pillai
is an obstacle in the way of
finding out whether Chennakesavulu
had in the coach
or it be nothing, but
I should
suggest ~~calling on~~ directing the
Collector of Anantapur to
call on Chennakesavulu bagadu,
personally, to produce a
receipt for the hire of the
coach. If he can't produce
one, a, in default, trustworthy

evidence that he had wrongfully
in it, he must be held guilty
of the gross charge being brought
against him.

As to the tractor conversation
there is no evidence.

I have kept back, though I do not
~~have~~ no ~~further~~ evidence on
this point that another
brother of Kandasami Pillai's,
who is in Rangoon, gave or
sent Chennakesavulu bagadu
a ~~to~~ gold watch (of that brother)
with the initials ~~of~~ on it. Kandasami
Pillai's two brothers in
Rangoon, Kuttiya & Pillai &
Muttusami Pillai. I don't know
which is the one referred to.
The Collector of Anantapur
might call for the watch
and if the initials on it
are "K. P." or "M. P." & ask
him how he came by it.

500/20/Para 10.

Allegation.

Bribe of £2,000 to give assistance as a clerk; the offer an attendantship.

Facts & evidence.

Two witnesses were called in the first instance. Thereupon petitioner called his present acting Resident Magistrate. He denies all knowledge of it, though he says he has heard people say that a bribe was given; this magistrate flatly denies it. The Crown called the chief auditor Mr. S.C.A. chief auditor Mr. has acted as clerk and as Lieutenant Technical Staff

Opinion.

Nothing to show a bribe in the case. If a bribe had been given it would be right to confirm the

103/105

Allegation.

Rubies of £17 and £100 worth of £35 paid by Sundries Account, to bring vendor's statement into agreement with Government's being entered.

Facts.

The Board of Revenue established in the matter of Stamp-vendors' discount in 1881, and vendors' allowance in 1891, and the Board's order in the case of three vendors, whose profits were £1 one £2 a month, Lundark Muslim being one of the three: Lundark, Muslim, obtained Government Post cancelled in 1891 without reason that he had acted under the Board's orders, and that he considered it harsh to cut down the petitioner's income,

were
industry on this occasion
the other stamp-vendors who
sold stamps near him. He
then sent Mr Andrews to
interfere with the order; but
cut down the other stamp
vendors close by to the same
rate.

~~So far as the papers go there~~
There is nothing to show that
Chemmanavar bribed any
Physician, made any representation
in Sundara Mudali's favour.
Mr Robinson ironically
consulted the Physician by
word of mouth, and not
by the note; and there is nothing
on record to show what
Chemmanavar said.
No part of the draft of the
letter to Government, nor of
any paper in the bundle

is in Chemmanavar's handwriting, with the exception of a
routine endorsement on one of
the Board's Proceedings. The draft
of the letter to Government, replying
on the appeal petition, that is
the part giving the gist, is in
the handwriting of a clerk. The
rest of it, saying that the
Board's order was a hasty
one &c, is in Millers' own
handwriting. The other important
letters in the bundle are all
in Millers' handwriting.
There is thus nothing to show
that Chemmanavar bribed
made any representations in
Sundara Mudali's favour;
though it may have been
he that brought out the
"harshness" to Millers.

106/ Witness.

Sworn examined by

Ct Varkè Sanjiva Rao, named in the schedule, as witness;

Ct Balasundara Chetti, District Court translator, called in the subsequent petition;

& (1) Sundara Chetti, the plaintiff under examination:

Sanjiva Rao says that plaintiff borrowed from Sundara Chetti on Varam bill a sum of money, about three years ago, rate 1/25 or 1/50 he thinks, and told him he wanted it to give it to the Assistant Chemical Examiner, "to get his favour," in connection with Sundara Chetti's petition to Government, which had been referred to the Collector for report. Witness is in the habit of making advances

107/ to the Sundara Chetti for the purchase of stamps, that is, plaintiff would deposit with Sundara Chetti, and getting stamps, as he may want them, up to the limit of that amount, and as he does so, Sundara Chetti remembers whether he gave this among on a deposit or as a loan. Writings and Sundara Chetti's petition to Government, before it was sent to Government and the transaction was subsequent to that.

This witness affirmed to telling the truth. His examination on this para. was on a date subsequent to his examination on para 5. when examining him on para 9 he did not notice, or forget, that he was called in this para also.

Balasundara Mudali, the Translator of the District Court was asked in the ~~cross-examination~~ second letter, received by me, to have Sundara Mudali's private accounts, in which the bribe moneys he received, the stamp vendor says he never heard any talk of this bribe, till about the ~~third~~ day that I sent for Stamp vendor Sundara Mudali to examine him, that is seven days before this writer was examined. He heard there that the Vachil Sinnaiya Nan had given the Stamp vendor 150; and asked him whether that was true. Sundara Mudali looked at his accounts, and read out an entry to the effect that he had got 150 from Sinnaiya Nan. The entry did not say what the money

was for. The witness stated what it was for; and Sundara Mudali said it was in connection with an appeal to Government, which had been dismissed. Witness refrained from asking any further questions, as he "did not want to know any more". Witness "had heard of some corruption in the District, and did not want to know more details".

This witness was highly nervous. Rather his whole story is a falsehood, or he knows a great deal more than he says.

The Stamp Vendor Sundara Mudali denies the whole transaction.

Opinion.

In the absence of any record of any recommendation made by Commissioners beyond on behalf of the Stamp Vendor, I do not think any charge

10 (6) been brought home to Chinnakkan
handed in this case. The Stamp Vendor
denies the bribe, though his lady
~~offer~~. I prisoner, was not
successful, as his appeal was
dismissed; and barring Rao's
& the translators' statements are
too shadowy to be relied on.

Para. (2).

Allegation.

Bribe of Rs 500 paid to Chinnakkan +
by ~~the~~ Plaintiff, to secure
the appointment of Local Fund
Inquiries Head Clerk for
Ramaswami aiyangar, and
Ramaswami aiyangar's former
post of Local Fund Audit Clerk
for Ramanuja aiyangar.

Facts.

I appointed Ramaswami
aiyangar to the post of L.F. Sts
Head Clerk, entirely on the

(7) recommendation of ~~the Divisional~~ a former
Treasury Officer, Swaminatha
aiyar, under whom he had
worked. ~~who had just left the district.~~ The Deputy Collector's
recommendation is on record;
and besides I remember the
fact distinctly. I did not
consult Chinnakkan Nayakar,
and I don't remember his
making any recommendation.
He was altogether outside his
sphere.
The other man Ramanuja
aiyangar I selected myself, as
he was the only graduate
applicant. Chinnakkan
Nayakar made no recommendation
in his favour.

Opinion.

This charge is frivolous, &
entirely unsupported by any
evidence.

(10) 112/ Para 13:

Allegation.

Bribe of ₹1000 by Abbaya Pillai, non Deputy Tahsildar of Kanakapura, ~~to~~ (a) [accepting] promotion, (b) by allowing his son-in-law to run a ₹10 hotel, & (c) by working up Abbaya Pillai's own tribe.

Facts:

Abbaya Peter has the worst possible character; but I have never heard Channakesava Hindu say a word in his favour, so far as I recollect. He was Taluq Thasildar when Deputy Collector & Channakesava [complained] to a Deputy Tahsildar that he was asked for ₹20 to get him out of the hotel. He said he did not know Kanakapura, and he will stop there. I made the appointment myself.

113/ I did not consult Channakesava Hindu, when Thasildar. I remember remarking to Channakesava Hindu, after [joining] the District, that I was certain Abbaya Pillai was dishonest, from what I saw in his hospital calendars; and he said I was right.

Abbaya Peter, Abbaya Channappa Pillai, was [born] a Pillai's son-in-law ~~lived~~ with a ₹10 hotel in the Trichinopoly Taluq & Channakesava Hindu, when Deputy Collector, [illegible] He is a [illegible].

Opinion. I don't think there is anything in this charge.

West End Hotel
Bangalore
31st December 1890.

10

Camp Pudupalayam
Tiruchirapalli District
7th January 1891

GOVERNMENT OF MADRAS
REVENUE DEPARTMENT
9 JAN 91

My dear Fulton

I enclose my report on the petition against Chinnakaruppa Goundan referred in your D.O. of the 20th November last; and I return the petition with the two schedules it encloses.

2. I may premise that Chinnakaruppa Goundan, having heard of the petition, went to me saying that Govinda Goundan, the petitioner, is a man whose conviction he applied on appeal. This I have ascertained to be a fact: He was convicted of an offence under S.504 I.P.C., and Chinnakaruppa Goundan as Deputy Magistrate, Trichinopoly Taluk, upheld his conviction in C.A. 27/90. This, however, in no way affects

1
Pet 991/91

File 3
Pet: 829/91.

2/ the question of the truth of the petition. Lowinder Hayman has merely collected certain charges against Chemarkswarka Hayman, and he professes no personal knowledge of the facts alleged in any of those charges. The truth or falsity of the charges does not depend in any way on his evidence.

3. I have now carefully thought over the whole record in all the Hazirkhal cases and appeals referred to in the schedule; examined all that is on record in the office with reference to the other matters; and examined all persons asked as witnesses to the bribery including witnesses named in a subsequent petition alleged to have and such others as I considered might throw light on the matter. I have now a detailed account of the result of my enquiry, charge by charge,

3/ with my opinions as to the truth of each. You will see that I consider this charge to be true, and three others very X suspicious; while there is no evidence in the remaining cases.

X V. Summary at the end of the report

4. I do not think that a formal investigation would lead to the discovery of any further evidence, enable Government to arrive at any more satisfactory conclusions.

4. I have not considered it necessary to forward any of the statements taken. If Government wishes to see them, or the records in any of the Hazirkhal cases, please let me know; and I shall forward what is wanted.

5. Chemarkswarka Hayman's Hazirkhal work here, as deputy Magistrate, was not done well,

4/ and he left a great number of cases pending. In fact, as Deputy-Collector, he showed a distinct falling off in the matter of energy, as compared with his work as Sheristadar. I thought of reporting this when he was leaving the District; but, as I had then no reason to suspect his honesty, and as I hoped he would reform, I contented myself with a warning. It is quite clear now that he is not fit to be a Deputy-Collector and Magistrate.

6. Though five of the charges are, I think, undoubtedly true, it is doubtful whether the evidence in support of them is sufficient to warrant his dismissal, or even his degradation from his permanent post of Sheristadar. If Government

5/ agree with this conclusion, I request that Government will be pleased to order his transfer as Sheristadar to another District. He has, certainly, as a matter of fact taken money in the three cases, but it is pretty certain that he has in several others. It is, therefore, obviously not desirable that he should continue here. If, on the other hand, it is decided to degrade him, I suggest that one of his transfer orders.

Yours truly

Lutavert.

(1891.)

REVENUE DEPARTMENT.

ABSTRACT.

Confidl No. 3

Current No. 186

From the Collector of Vizianagaram

Dated 7th January 1891.

Received 9th "

Enclosures 2

No.

SUBJECT.

Submitting report on the allegations against Dy Collector Chunduri Sesamallu Naidu

G W F

13 FEB 91

Venkatrama Chetty

Kuppanna Chetty

"I am the father of Kuppuswami Chetty. My son & I trade jointly in sundries, opium &c. He had no opium contract for 89-90. We applied for ganja licence and eleven shops were sanctioned to me. My son superintended the sales on my behalf. My son told me that the Sheristadar was one Rs 500. We negotiated with the Sheristadar was one ayah attached to the Sheristadar's household not afford to give Rs 200. My son went away and two or three days afterwards he returned saying that Rs 200 was sufficient. I told him that we must win the grace of the great men. My son & I went to the Sheristadar's with a large painted tray containing fruits, pan supari &c. We had the money with us. I am certain that it was in April. We went to the Sheristadar's house about 7 or 8 a.m. and gave him the money. The Sheristadar, my son, Balakrishnam & myself were there; there was nobody else. The Sheristadar received the money and promised to do all good to me. Two months afterwards the licenses for six of my shops were cancelled. The shops for which the licenses were cancelled

Camp Radupalayam
Office of the
Superintendent of Police
Coimbatore District
11 JAN 51
REVENUE DEPARTMENT
Camp Radupalayam
11 January 1951

Sir,

I have the
honour to submit
herewith my report
about the
Kavundampalayam
Riot case which
occurred within
the jurisdiction
of this
Police Station

Wolcottville C. Ity

13 FEB 89

=(

[illegible] on account of
the dismissal of [illegible] witnesses, &
under S. 203 C. [illegible] me to hear the
was S=12-89.
The [illegible] sessions arguments on both
[illegible] after [illegible] sides. This last-
ruled was [illegible] a motion
on the S=2-[illegible] for adjourn-
The trial be[illegible]
on the 2-4-[illegible] boundary business
was conclud[illegible] which last
the 1-5-[illegible] of [illegible]
from adjourn[illegible] 500 on a Pro Cat-
one became [illegible] on 7-3-90, and
hospitals was [illegible] another 500 on 1-4-91.

[illegible] rial,

1891.

[illegible] ruled [illegible] court

This last date was the day before the beginning of trial; and agrees with Mr Salisbury's story.

Yours truly

E Stewart.

Revenue Secretariat,

10th Feb 1891.

My dear Garrett

I am directed to inform you that your excellent report upon the allegations made against Chinna Kesavulu Naidu has been under the consideration of Govt, but before issuing any orders thereon H. E. in C desires that a deposition should be taken from Venkatarama Chetty the farmer of Krishnama Chetty who is alleged to have given Ch: Naidu a bribe in the case of the Ganja licenses. Sched I para 8. I am to request that the required deposition may be taken as soon as possible and submitted to Govt

G W. F.
13FEB91

Wairarapa C. Ctty

=(

When this additional evidence has been received, Ch Naidu will be called upon for an explanation in general of the charges made against him and will in the meantime remain on his permanent establishment

Yours sincerely.
(Sd.) C. A. Carlton.

Camp Tauherenikau
Trig O
13-241

16 FEB 91

by direction
Town Do. 9
the 10' mist. asks
for a deposition
from Venkatarama
Chetty, father of
Subbarama Chetty,
re the allegations
against Chinnaswamy
Alagundra Reddy,
Sch I Barr S.

whe
been
call
in
agle
we
ay

I have had a deposition taken by my Probationary Assist. Ramachandra Rau [illegible] Fenelon i.e. [illegible] confirms his sons' statement. I knew he would, so did not take it in the first instance.

Yours truly

E [illegible]

were all paying shops and the remaining shops were all
unpaying shops. I applied for the cancelled licenses
for a longtime without effect: I applied for the money
also but he refused to pay back the money. My son
& I both went to the Sheristadar's house & ask the
money. He asked us not to trouble him further and
at last told his peon to prevent us coming to his
house. The sum consisted wholly of Rupees.
and was not made up of notes.

Taken by me

Manicavacadar

at my house, 10-20 Am

12th Feby 1891.

Vilvedaranya Chetty hesitated at first
but when I asked him whether he
knew what his son had deposed gave
out the whole truth. But all along he
evinced a great anxiety to throw all
the blame on his son. He said that his
son manage the shop and that he
negotiated in this case. He wound up
by saying that the cancelling of the
licences caused him great loss and
that "great men" should have pity on
him as he had many children

Ille

12-2-91

1 Goods.
14.2.

Sir

I respectfully beg to state that I learnt with regret that some time after I left Trichinopoly, a petition was received by Govt accusing me of all kinds of charges exceeding one hundred in number, and that in the confidential inquiry made by the Collector some men who bear respectable names, among whom were enquired into. As in my absence, the Collector could not have found out their relations towards me, I beg to put these before you regarding

3
Pet 991/91.

File 1
M 829/91.

the few whose names I can readily recall.

I fail to remember whether the petition was twice convicted & the second conviction was upheld by me.

2. S.T. Rungaswamy Iyer B.A.B.L. the late Chairman Erode, was a ward Councillor before becoming Chairman, when some other was Chairman - he volunteered to undertake the repair of the Sundaradasa Swamy in his ward, though the D.P.W. Staff would themselves have done it at an estimated cost of about Rs 600. On my being appointed Chairman, I suspected that there was defalcation, that the work done, examined & estimated by the Executive Engineer. Rs 150 only. The whole amount was spent on the portion of the work, the Engineer estimated it at only Rs 150 only.

I held an inquiry & reported. Rungaswamy Iyer the Collector passed along Report & forwarded it to Govt with his decision as Chairman, as in the meantime he managed by various means to get himself elected as such. The Govt disapproved of this decision, & asked the Council to reelect somebody. The Council however reelected the same man by a narrow majority of one. I need not mention the means employed for this purpose.

his mans brother, I had expelled from the Collectors office.

3. The Sundaram Iyer, a Mr Councillor conducted a Mr Brit- to book that it was not & he duly sustained a loss of 500 I went into the matter as my Chairman, & made him res- ponsible for the amount & resolution was passed that he should pay it.

4. The Mr Salisbury is a respectable East Indian. A Pleader by profession. This Gentle- man applied to me - as was the President of the Reception Sub-Committee, and managed the whole business when Prince Alber-

Victor visited Trichinopoly, for a Ticket for the Prince's Garden Party. I refused it, as all East Indians were excluded from that Party. As he said he was a reporter to the Madras Times, I gave him a Decoration Ticket (given only to servants as a pass to some other place to place on the Reception business). I need not say how much he & several Mr East Indians here mortified on that Occasion.

5. The Sanjevi Rao & several Messrs - pleaders - here recommended by the Non Apptd Collector I reported on their conduct

to the Collector who revised
their names for the list. They
were members of [illegible] Mr Nicholl-
Dixon.

6. A very rich man, Muraadan
of Ellanakkal - Krishnasamy
Iyer by name - was sent
by the Sail by me.

7. a well connected, rich
young brahmin was also
sent to the jail by me.

9. Another brahmin (rich)
who was convicted by
Subhaya was let off
by a Brahmin Dy Magte. On
my representation, Mr Nicholl
Collector chr Mr Nicholl [illegible]
whole case.

the High Court - & had him sent
back to the jail.

10 In the Yekadasi festival
at Sri Rungam in Dec 1889 -
Jany 1890, there was very serious
dispute between the rich and
the powerful Vadagalai & Tenkalai Brahmins. I put
it down with a strong hand as
the D[illegible] Magte, & had half a
dozen rich & influential
Vadagalai Brahmins bound
over to keep the peace. This
wealthy & influential class
who suffered at my hands
hated me so fanatically that
Regiment to Court with a

a petition against me so far back as Feb 1st which last-but nothing came of it.

My rapid rise in the Service took no ordinary amount of jealousy in many quarters, & like stuck & conscientious discharge of my duties I soon took no ordinary amount of enemies and my enemies happen to be powerful, influential & rich.

I may also state that when I became Collector of the first District I did was to send two Custom House makes out of my division

and to see that every division was as pure as a whole. I took pride in checking corruption & expressing dishonesty.

My enemies who are exceedingly powerful & who have friends in influential quarters ask me to believe that a young aspirant to higher honors, who has been honest all along in minor posts, turned dishonest when he became an acting Collector, & that an officer who took a pride in presiding over an honest Division, purged by himself, plundered it himself, [illegible]

Commanding at the same time the respect due to his profession from his honest & brave friends & as well as the general public who showed their appreciation of his services when he departed from their Station — as may be seen in the account notes of the Madras Mail of the 26th Augt, and that this young officer was able during a very short time to commit a series of horrible deeds exceeding one hundred in number which is not an easy feat for performance even by an Officer of a very long service & very much experience in the art of bribe taking, and that a young officer who had the merit & the ability to work his way up within 4 years from a Lieutenancy of 70 to a Collectorship had not either the sense or the ordinary prudence to do such dark deeds in such a way as to shroud them in entire secrecy & to possess the brazen impudence to do them openly in defiance of the public opinion & that when through conscious & wakeful of being surrounded by enemies of his own kind, especially of the Brahmin class of an enlightened Tamil District.

I saw in the Gazette that one Mr Swamy is looked for this district as

as Sr Alex Dy Collr, & Mr Seshayya Chetty for Kurnool under 20/20. as I am in Receipt of Arrangement of Mr K Seshayya Chetty, I think that I am to be ordered & vested to my appointment as Tahy Hazr Mr

as soon as I was appointed Dy Collr, I paid my respects to yr Hr & Ben & said that I shall prove myself worthy of yr kind appt by my honest & good works, as I had title Ben favored both of the favors of Messrs Farmer, Austin, Wilcock & Fawcett, first of whom, ~~before I was~~ made me Hy Hd Clerk, Redeem

4.

made me a Tahr, the third made me Collector's Shirastadar, and the fourth recommended me demi-officially for Dy Collectorship, calling me "clever intelligent & straight" I have therefore thought it fit to declare my innocence to you before venturing & to beg of you to believe in my innocence, as you are aware what an intelligent set of much disaffected, much mortified and malignant Brahmins whom I unfortunately for myself unfortunately for public interest, attacked & humbled is capable of when they combine to work together & ruin the reputation of an honest man.

as I have been six months ready, in this Dist, I request

as that No collection of this distrect
Ch may be asked what be the cho
d of me.

They to remain
Sir
Your most obed
servant
C R Chennakesamba Layah
q/o Collector
Soot 3

Confidential

Report

on

the allegations against Chen-nakesavulu Nayndu, Huzur Sheristadar, Trichinopoly, and now acting Deputy Collector Sooty, contained in the two Schedules forming enclosures to Govinda Naynduis petition to Government dated the 10th June 1890

Summary of Report

There is nothing to shew that any bribe was given in the cases referred to in paras 1, 4, 5, 6, 7, 9, 11, 12 of Schedule I or in the matters mentioned in para 14 of Schedule I or in paras 1, 2, 3, 6, 7, 10, 11, 12, 13 of Schedule II.

2. The decisions in the magisterial cases referred to in paras 2 and 3 of Schedule I and the appointment mentioned in para 8 of Schedule II are doubtful and suspicious, especially the decision referred to in Schedule I para 2; but there is no evidence of a bribe in any of these cases.

3. The charges made in the following paras are, in my opinion, true; though in no case could

could a bribe be proved in a Court of Law;— Schedule I, paras 8, 10, and 13: Schedule II paras 5, 9. No bribe is alleged in the case of Schedule I, para 13; but there must have been some reason for so grossly incorrect a decision.

(Signed) F. W. Fawcett.

West End Hotel
Bangalore
2nd January 1891

Schedule I

Para 1.

Allegation. That Krishnaswami Adaikkapattan and some others having been convicted by the Taluq Sheristadar Magistrate Trichinopoly of an offence under the Cattle Trespass Act; induced Chennakesavalu Naidu, then Deputy Magistrate to reverse that conviction, on appeal, by paying him a bribe of Rs 200; the bribe having been arranged through Amin Rangaiya Pillay. The Vakils engaged in the appeal, Messrs Rangasawmi Aiyar and Sami Aiyar are cited as witnesses to prove the bribe.

Description of the Case.—

There are two factions in the village in question, the complainant being the head of one and the

the 7th accused) the village Munsiff, the head of the other. The Complainant has taken, or has taken, from Government, a lease for the grazing of a certain tank bed with trees standing in it, and the opposite faction, which apparently includes the mass of the ryots, refuse to recognise his exclusive right. On the day of the alleged offence, the Complainant, 1st witness, and his Cousin, 2nd witness, so their story goes, found some of the accused grazing their cattle in the tankbed, and damaging the trees and a hedge, and attempted to drive them to the pound; whereon the rest of the accused persons came and rescued the cattle, and beat the Complainant. The accounts of the two witnesses agree, with the exception of a slight discrepancy as to which of the accused were present in the first instance,

and

and which came after the Complainant, 1st witness, besides admitting the faction already referred to, admitted also on cross examination, that there was a case against him, then pending before the Talug Magistrate, in which the 7th accused had given evidence against him. The only other witness of the whole transaction was the 4th witness, a woman living by "Cooly". She supported the prosecution; but made an addition of her own viz that the 1st accused tied the Complainant's hands behind his back, a point on which the other witnesses said nothing. The only other witness was a Police Constable who only said (1) that he saw the 1st and 2nd witnesses driving the cattle and (2) that half an hour after he saw a crowd and a woman (4th wit?) quarrelling with the accused persons.

The

The defence was alibi.

The Taluq Sheristadar convicted the accused persons in C. C $\frac{245}{90}$ of offences punishable under sections 352 and 426, I.P.C. and sec. 24 of Act I of 71, and sentenced them to pay various fines, making a total of of Rs 160.

The Deputy Magistrate's judgment (C.A $\frac{61}{90}$) is meagre, as his judgments often were. It gives no account of the allegation in the case or of the evidence for or against it. It reversed the conviction because the 2nd witness is the Complainant's cousin and the 4th witness a beggar, while Complainant's brother had once given evidence in favor of the 3rd witness, the Police Constable. It also remarks that the Police Constable only said that there was a crowd and that he ought to have ascertained what the crowd was doing. Having thus disposed of the

the prosecution evidence, he says "I do not consider it necessary to consider the nature of the defence".

Opinion as to the correctness of disposal.-

The Deputy Magistrate's criticisms on the prosecution evidence are correct; except that I can find nothing on the record in support of the statement that the Complainants brother once gave evidence in favor of the Police Constable (3rd wit.). Indeed he might have said more. The Complainant and the principal man among the accused persons are admittedly heads of opposing factions, the only independent evidence ~~was~~ of the whole transaction was a Cooly woman; and the witnesses did not altogether agree. The Deputy Magistrate was certainly right in reversing the convictions under Secs 352 and 426, I.P.C. As to the

Offence

offence under the Cattle Trespass Act. there was in addition, the Police Constable's evidence that he saw the cattle being driven by the Complainant and his cousin. It is a question whether this independent evidence was sufficient corroboration of the first two witnesses. Personally I think, I should not have considered it sufficient had I been the trying magistrate; though, had I been the appellate magistrate, I don't think I should have upset the conviction under the Cattle Trespass Act. On the whole nothing can be said against Chennakesavalu Naiyudu's disposal of this case, except the meagreness of the judgment.

Statement of persons named as witnesses to the bribe

Of the two vakils, named as witnesses, Sami Aiyar, the vakil for the Complainant denies all

Knowledge

knowledge of the matter.

The case went against Sami Aiyar in the appellate court; he is not a friend of Chennakesavalu Naiyudu's, so far as I know; and he has no reason that I can see, to keep back evidence if he really knows of a bribe having been given.

The other vakil, Rangasawmi Aiyar, Chairman of the Municipality, who appeared for the appellants, supports the story of the bribe, though he has no personal knowledge. He says that Krishnasami Adaikkapattan, the 1st Appellant, came to his house a day or two before the hearing of the appeal and told him he was going to arrange matters through the Amin Ranganja Pillay; and came again at 9 or 10 A.M. on the day of the hearing and said "Everything is settled, Sir, you will only have to stand up and the judgment will be reversed."

&c.

He appeared and argued the case and the conviction was reversed.

I have examined also Krishnasami asaikkapattan and the Amin Ramgaya Pillay, the alleged go-between. Both deny all knowledge of the matter. This was, of course, to be expected.

The story of the bribe thus rests entirely on the vakil Rangasami Aiyar's statement. I do not consider his unsupported evidence to be of any value. He and Chennakesavulu Naydu are open enemies. They were on opposite sides at the time of the election of Rangasami Aiyar as Chairman; and Chennakesavulu Naydu reported against him, and rightly too, in the matter of a certain fraud and waste of municipal money which I reported to Government in October or November 89. Rangasami Aiyar would no doubt be glad to ruin, Chennakesavulu Naydu and his

unsupported

unsupported testimony is of no value. It is to be noted too that the words he attributes to Krishnasami Asaikkapattan are exactly those used in the Schedule. This shows that Rangasami Aiyyar had some connexion with the petition under report and evidences animus.

Opinion as to the bribe

Nothing can be said against the decision; there is no evidence of a bribe and even no hearsay evidence of any value; and the amount named was certainly not likely to have been given, for it exceeds by 1/40 the total of the fines inflicted.

I am not disposed to think that there is any truth in this charge.

Para 2.

Allegation that Ramganatha Thakur (or Tawker) a diamond

diamond merchant gave Chenna-
kesavulu Nayudu when Deputy Ma-
gistrate a diamond ring worth Rs
600 to decide a possession case in his
favor on the occasion of a dispute
about the possession of certain lands.

Description of the case.

There: There is a dispute about
the right to the Kudivaram of certain
Inam lands in Terkuchatram, Tri-
chinopoly Taluq; and Ranganatha
Thakur, a diamond merchant living
in Madras, through his Agent Krishna
applied
Rose, to the Assistant Magistrate, under
the Possession Chapter of the Criminal
Procedure stating that he feared a
breach of the peace and praying that
he be declared to be in possession. I
should add that Ranganatha Thakur
had had the crops harvested in the pre-
ceding year under Police protection.
The Deputy Magistrate (Chennakesa-
vulu Nayudu) who had then taken
charge

charge heard the case formally in
miscellaneous case no $\frac{3}{1890}$, took
evidence on both sides; and passed
the following order "The petitioner
Ranganatha Tawker will be in pos-
session of the lands till ejected by
due course of law."

Examination of the case and
opinion as to the finding.

There was evidence to
prove possession on each side, nine
witnesses on either side, all of the
same character, statements and counter
statements, and there was nothing
to choose between the two. It would
be impossible on this evidence — I
have gone through it carefully — to say
with which side the actual possession
lay and the Deputy Magistrate
ought to have proceeded under Section
146 C of C.P. and held the land
under attachment. There was just
one point in the petitioner's favour,
that

that is to say in favour of the correctness of the decision; viz, that the petitioner had certainly harvested the crops in the preceding year, under Police protection. He had no right to Police protection that I can see; and he probably bought it; but still, it might be argued that he has been in actual physical possession since that, whether rightly or wrongly. I don't think, however, that this argument would amount to very much; and there is nothing to shew that it furnished the reason for the Magistrate's decision. His order consists merely of the words I have quoted above, and gives no account of the point at issue, the evidence, or the reason for the decision. I am of opinion that sec 146 of the Code ought to have been followed and that the Deputy Magistrate's decision was incorrect.

Statement.

Statement of persons named as witnesses to the bribe.

The witnesses named are (1) Vakil Rangasami Aiyar, who appeared for the petitioner Krishna Jose, Ranganatha Thakur's agent, and (2) Umamaheswara Aiyar, a Muniasidar and Municipal Councillor. The latter denies all knowledge of the matter. He is not a friend of Chennakesavulu Nayudu's and was on the opposite side in the split in the Council last year, being a supporter of Rangasami Aiyar's; and he has no reason that I can see for keeping silent, if he knew anything.

Rangasami Aiyar supports the allegation. He says Krishna Jose, Ranganatha Thakur's agent, the petitioner in the case, showed him a ring worth Rs 500 or Rs 600 and said he was going to give it to the Magistrate

Magistrate. There was no one there but Krishna José, Rangasami Aiyar and a Guzerati Brahman who brought the ring in a 'casket' and took it away again. Krishna José afterwards told him he had given the ring. Rangasami Ayar having made this decided statement, I examined Krishna José; but he denies the whole thing. He may, he says, have shewn a ring to Rangasami Ayar at one time or another, but he never shewed him a ring at Udayarpalayam, where Rangasami Ayar says the ring was shewn and he gave a ring to Chennakesavulu Nayudu.

Opinion on the charge:

As before Rangasami Ayar's unsupported evidence is worth nothing; so there is no evidence of a bribe, though the decision especially considering the exigencies of the final order

order, a mere order with no reasons of any sort, looks, I think very suspicious. A bribe may have been given in this case, and I should think probably was; though that is mere suspicion. The subject matter was worth a heavy bribe.

Para 3

Allegation. That Padmanabha Ayar, having been convicted by the Town Sub Magistrate of an offence under sec 504, I.P.C. (Insult with intent to) and fined Rs 20, secures a reversal of the conviction on appeal by paying Rs 50 to Chennakesavulu Nayudu, Deputy Magistrate who heard the appeal.

Facts of the case C.A $\frac{50}{90}$

The prosecution evidence was to the effect that the accused Padmanabha Ayar abused the

the complainant in filthy language and that there would have been a breach of the peace had not complainant been restrained. The defence was that the abuse was directed only against the complainants father Balakrishna Thakur, who has swindled Complainant and many others in Trichinopoly out of large sums of money (Note. This swindling is a fact). The Sub magistrate convicted, finding that even if the abuse was directed against the father, the offence was complete. The Deputy magistrate on appeal (C.A. $\frac{50}{90}$) thought that the use of filthy language in abuse of the father did not amount to insult to the son; and reversed the conviction. The Sessions Judge referred the case to the High Court; and the High Court in revision reversed the acquittal and restored the original sentence.

sentence.

Opinion on the disposal of the case

The Deputy magistrate's disposal of the case was undoubtedly wrong. To abuse a man's father in filthy language in the presence of his son, is undoubtedly to offer an insult to the latter.

Witnesses to the bribe

There are two persons named as witnesses to the bribe. The Hospital Assistant Tirumalai Nayudu, who is said to have given the bribe, denies it, as might be expected. Padmanabha Aiyar also denies it.

Opinion as to the bribe

There is no evidence of it. Padmanabha Aiyar is an old man in rags, who has, I believe, been swindled out of all that he had by Balakrishna Thakur, a man

the complainant in filthy ~~petty~~ language and that there would have been a breach of the peace had not complainant been restrained. The defence was that the abuse was directed only against the complainant's father Balakrishna Thakur, who has swindled complainant and many others in Trichinopoly out of large sums of money (Note. This swindling is a fact). The Sub magistrate convicted, finding that even if the abuse was directed against the father, the offence was complete. The Deputy magistrate on appeal (C.A. $\frac{50}{90}$) thought that the use of filthy ~~petty~~ language in abuse of the father did not amount to insult to the son; and reversed the conviction. The Sessions Judge referred the case to the High Court; and the High Court in revision reversed the acquittal and restored the original sentence.

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man

man who lately went off from Trichinopoly with large sums of trust money. He does not look as if he could raise Rs 50, the sum alleged, nor would he be likely to give so much as Rs 50 to conceal a fine of Rs 20. The fact that the Deputy Magistrate gave a wrong decision on a point that one would hardly consider capable of being argued is against him; and a smaller bribe may have been given, but it is doubtful whether he would think it worth while to take Rs 10 or Rs 15. On the whole, I am not disposed to think that this case looks very black against Chennakesavulu Nayndu, notwithstanding his wrong decision.

Para 4.

Allegation. That one Viswanatha Aiyar having been convicted

convicted of theft by the Lalgudi Sub Magistrate secured a reversal of the conviction on appeal by paying Rs 500 through one Nataraja Aiyar to Chennakesavulu Nayndu, the Magistrate hearing the appeal: Also that Chennakesavulu Nayndu got the Sub-Magistrate transferred to Tarainjur as a part consideration for that bribe.

Facts of the Case.— C. C. 500/09 C A 138/09

in Lower Court
in Dy. Mag^{ts} Court

The case arose out of a dispute about land between the 1st accused (there were five accused persons) and the 5th witness for the prosecution. It was agreed on both sides that Viswanatha Aiyar, a boy just of age, is the owner of the land; that he mortgaged it for a consideration of Rs 3000, to the 5th witness for the prosecution,

handing

handing over his patta, and can-
celling a deed of lease that he had
executed in favor of the 5th witness
for the defence; and yet that the
crops grown on the land was cut
and carried off by the accused
persons or some of them.

The defence was that the mortgage
deed was got from him by deceipt,
that the consideration for it was
not paid by the 5th witness for the
prosecution; that the land had,
therefore, never really changed hands,
and that the crops, the cutting of
which was alleged to constitute
theft, were grown by the 2nd and 4th
accused as tenants of the 1st accused,
the 3rd and the 5th accused pleading
alibi. The prosecution witnesses
deposed to the points mentioned above
as agreed on by both sides and also
that the 5th witness for the prose-
cution (the mortgagee) paid the

assessment

assessment for the previous year (the
alleged theft was 18 months after the
date of the mortgage); and one wit-
ness the 7th and last for the pro-
secution deposed that the consider-
ation money, the Rs 3000, was paid.
For the defence, 5 witnesses, the 7th to
10th and 12th deposed that the crops
was grown by the 2nd and 4th accused
under the 1st accused as alleged by
the defence, two more, the 5th and 6th,
said they cultivated the land under
the first accused Viswanatha Ayar
in the previous year; one, the 4th,
deposed that the consideration of
Rs 3000 was not paid; and three, 1st
2nd and 3rd, deposed to the 5th witness
for the prosecution (the mortgagee)
having confessed that he had got the
mortgage from the boy Viswanatha
Ayar, 1st accused, by deceipt. The
remaining witness, the 11th, the
Karnam, was hostile to the defence.

The

The Sub magistrate rejected the evidence of the defence witnesses for various reasons and found that the 5th witness for the prosecution had possession of the land and that, therefore the cutting of the crop amounted to theft. He did not discuss the question of dishonest intention, one quite as material as that of possession; nor did he discuss the question whether all, or only some, of the accused cut the crops. He inflicted fines of Rs 50, 20, 5, 20 and 5; making a total of Rs 100. On appeal, the Deputy magistrate Chennakesavulu Naynda considered that the matter was a Civil dispute that ought not to have come before a magistrate and reversed the conviction without discussing the evidence. The 5th Prosecution witness petitioned the High Court; and the High Court remanded an issue to the Deputy

Deputy magistrate with directions to record a distinct finding as follows:- "Are the Respondents (that is Appellants in the Deputy magistrate's Court) guilty of theft, Section 379, I.P.C; or was the paddy taken by the Respondents under a bona fide claim of right?" The Deputy magistrate found on this issue that they were not guilty of theft; and the High Court then dismissed the Revision Petition.

Opinion as to the disposal of the case.

The case was certainly not properly treated in the lower Court; for the Sub magistrate did not discuss the question contained in the issue finally framed by the High Court, viz, whether the crops were cut dishonestly or under a bona fide claim of right. The Deputy magistrate (Chennakesavulu Naynda) did

did not mention this point specially in his judgment till the High Court drew his special attention to it; but his decision practically amounted to finding that there was no dishonest intention. The decision, that there was no dishonest intention and therefore no theft, was undoubtedly correct.

Witnesses to bribe

No witnesses are cited in the schedule. Nataraja ayar, a large Mirasidar, whom I know very well, is said to have given the bribe. I have not examined him as I knew it would be no use.

Opinion as to bribe

The decision in the case was correct and there is nothing to shew that any bribe was given.

The further allegation that Chennakesavulu Naydu got the Sub

transferred.
Sub Magistrate to Tarakeswar as a part consideration for the bribe is certainly not true. I transferred the Sub Magistrate in question, Srinivasachari, entirely of my own motion I had no recommendation on the subject either from Chennakesavulu Naydu or from any one else. Srinivasachari is a man of bad character; he had been in Lalgudi for several years; several of his cases had a very suspicious appearance: and I had long intended to transfer him on the first opportunity. My bad opinion of Srinivasachari was formed entirely from his magisterial work. Chennakesavulu Naydu never said anything to me against him. Of this I am positive

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Para 5

Allegation. That one Kunju Pillai gave Chinnakesavulu Naydu

Raynder, when my Sheristadar, Rs 1000, so that the estate of the deceased Chokalingam Pillai of Pitchandarkavil should be left under his management and should not be taken up under the Court of Wards.

Facts of the case

Shortly after Chokalingam Pillay's death, a petition was sent by the minor's maternal uncles to the Court of Wards praying for the estate to be taken under management. The petition was referred to me for disposal. I sent it to the Assistant Collector in charge of Trichinopoly Taluq, for report. The Assistant Collector Mr. Pambridge having consulted the Tahsildar sent in his report recommending the estate to be taken under management and forwarding the Tahsildar's report, which also recommended the estate to be taken up, because though Muthusami

Muthusami Pillai (alias Thunju Pillai) was of good character and not likely to do any intentional wrong, yet he was a bad manager of his own property, and so was not fit to be left in charge of the property of other people.

My practice is to have papers (except magisterial) sent to me for disposal with an office note for each subject bundle prepared by the Sheristadar, the English or Revenue Head Clerk, the Treasury Deputy Collector or other head of a department of the office; giving a general short precis of the matter for orders with references to the various papers in the bundle. The Sheristadar Chennakesavulu Naydu wrote the office note on this occasion, all estate matters being in the Sheristadar's department, and sent it to me with the Assistant Collector's and Tahsildar's reports

and

and all connected papers for orders.
The office note gives all the facts of
the case fairly and fully including
the recommendations of the Assist-
ant Collector and Tahsildar and the
Tahsildar's reason quoted above, and
winds up by giving it as his (the Sheris-
tadar Chennakesavalu Naynd's) opi-
nion that as no mismanagement
had been proved and as the widow
was averse to the estate being taken
up, it need not be taken under manage-
ment. I went through the papers
and came to the conclusion that
as no mismanagement was proved
and as the estate was a small
ryotwari one with a revenue of only
some Rs 11000, a year, exclusive of
trust funds, it was not worth taking
up and recorded the papers.
The uncle's petitioned the Com Board
again, and a report was called for,
the result of which was that it

was

was finally decided to take the estate
under the Court of Wards' management

Witness to bribe

Umamaheswara Aiyar
a landholder and municipal Coun-
cillor is the only witness cited to
this bribe. He denies all knowledge
of the matter. Kunju Pillai, alias
Muthusami Pillai, also denies
the bribe as might be expected.
As remarked before, in para 2, Uma-
maheswara Aiyar was an opponent
of Chinnakesavulu Naynd's. He
was also connected with the petition
to the Court of Wards asking for the
estate to be taken up. He would not
be likely to keep silent, if he knew
anything. He is, I believe, a res-
pectable man

Opinion

There is no evidence of
any bribe having been given. As to
Chennakesavulu Naynd's Conduct
in

in the matter, it is to be noted that his recommendation was contrary to that of the Tahsildar and the Divisional Officer. It is quite possible that he was paid for that recommendation, but there is no evidence of it.

I may note, though it is not altogether relevant that a further reason for which I decided not to recommend the estate to be taken up was the smallness of the estate. I did not consider so small an estate worth taking up, and I should have come to that conclusion, no matter what the Sheristadar's recommendation was.

Small ryotwari estates were not the sort of estates contemplated by Regulation V of 1804 and need not, I believe, to be taken notice of by the Court of Wards until recently. They used to be left to the Civil Courts, Government having no interest in the continuance of any estates other than Zemindaries. This is not, however, really relevant as Chinnakesavulu Naydu did not refer to the point. On the whole if Chinnakesavulu's character were free from suspicion, I should have no hesitation in rejecting this story; but, as some of the charges that I shall come to hereafter look decidedly suspicious and even true, there may be truth in this also. There is, however, no evidence against him.

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Para 6

Allegation - that certain headmen of the oilmonger caste, accused of defamation before Chinnakesavulu Naydu, when Deputy Magistrate got off by paying Rs 500.

Facts of the case.

An unmarried girl of the Vaniya caste accused seven fellow castemen of having defamed her

her by saying at a caste meeting assembled specially for the purpose of enquiring into her conduct that she had had connexion with a certain man. The Deputy Magistrate Chennakesavulu Naydu acquitted the accused persons in C.C 14/90 finding the words complained of came within the ninth exception and were not defamatory. The Complainant petitioned the High Court and the High Court passed the following order:- " We are unable to interfere. The imputation on the woman appears to have been well founded; and it was made in the ordinary course before the caste meeting."

Witnesses cited to bribe

No witnesses are cited to prove this bribe. I questioned Kunju Pillai, the alleged go-between as I had sent for him in connexion with

with para 5 and he of course denies it.

Opinion.

The Deputy Magistrates decision in the case was perfectly right and there is no reason to think that any bribe was given.

—

Para 7

Allegation. That one Subbaiyar, brother of Sundara aiyar, a cashkeeper on the S.I.R gave Chennakesavulu Naydu, when Deputy Magistrate Rs 250 to secure an acquittal on a charge of Robbery.

Facts of the case.

Complainant and the 1st accused (there were two accused, the 2nd being the servant of the first) ~~accused~~ were school boys. They had a dispute about a

the a book. The Complainant's (1st
a witness) story was that the two
of accused overtook him as he was
s going to school in his bandy; and
ea that the 2nd accused, the servant,
l stopped the bandy under the 1st
c accused's orders and pulled the Com-
1/ plainant out and beat him and
c gave his books to the 1st accused
Subbaiyar, who walked off with
them.

The 2nd and 3rd witnesses, school boys, deposed that all that happened was that the 2nd accused, the servant, stopped the bandy and got the complainant out. Nothing further happened, these witnesses say, beyond hard words; and they do not say that the 1st accused Subbaiyar was present. The other witnesses examined supported the Complainant in full; but two of them were only hearsay witnesses, and the remaining

remaining three, the Deputy Magistrate considered interested, one being a near relation of Complainant, another being a fellow lessee of Complainant's bandy and the third being under an obligation to the Complainant's father.

The Deputy Magistrate discharged the 1st accused Subbaiyar under Sec. 253 C of C.P; and having heard the 2nd accused's, the Servant's, defence witnesses, convicted the 2nd accused, the servant, of assault, for having stopped the bandy, and fined him Rs 10.

Witnesses to bribe

No witnesses are cited to the bribe in this case. It is stated that the money was got from a Sowkar Murungappa Chetty. I sent for him; but he had gone to Nattukottai and I could not

examine

examine him.

Opinion.

The Deputy Magistrate's decision was correct. He was bound to discharge the 1st accused on the evidence of the 2nd and 3rd prosecution witnesses, who were apparently the only disinterested witnesses. There is no reason to think that any bribe was given.

Para 8

X

Allegation. That one Kuppanna Chetti gave Chennakesavulu Nayndu, when Collector's Sheristadar, Rs 200, in order to get licenses for certain opium shops; and that one Muthukrishna Pillai afterwards gave him Rs 275, whereupon some of the licenses already issued to Kuppanna Chetti were cancelled and licenses issued to Muthukrishna Pillai.

The Collector considers that this charge is a true one.

Facts.

Facts of the case

There is a mistake in the allegation. Ganja shops are intended, not opium. Opium farms are, of course, sold by auction, and there can be no favouritism.

It was decided in 1888 to prohibit the sale of ganja except under license and to limit the number of shops. Proposals were called for by the Board as to the number of shops to be allowed. I fixed the number at 11 for the district of which ten were to be in Trichinopoly and Srirangam Town. Applications for the shops came in, some applying for all the shops and some for one or more shops. I reported to the Board that there was competition for the shops and asked permission to sell them by auction. This the Board refused; and as I had

had no means of deciding between the rival applicants, I gave all the shops to the first applicant Venkatarama Chetti, father of the Kuppanna Chetti mentioned in the ~~application~~ allegation. One of the other applicants Muthuviran Pillai (not Muthukrishna Pillai, the name given in the allegation) petitioned the Board; and the Board having got a report from me said that it was wrong to give all the shops to one man, especially as he was an opium renter (Venkatarama Chetti is a large opium farmer); and directed me to distribute the shops. I then distributed the shops among the four of the seven applicants whose character I could learn something of (two of the remaining three lived in Chittur North Arcot); giving one shop each to two men who had applied for only one

each, and dividing the remaining eight town shops equally between Venkatrama Chetti and Muthuviran Pillai, leaving Venkatrama Chetti the 11th shop at Kulitalai, the only shop outside the towns. Chennakesavulu Naydu had thus no voice whatever in either giving all the shops to Venkatrama Chetti in the first instance, for I did it myself without consulting him — his office note sending up the matter for orders merely gives the names of the first four applicants and makes no recommendation —; or in the cancelling of the grant of some of those shops to him afterwards, for it was done under the Board's orders.

Witnesses to the bribe

Two witnesses are named in this case, Padmanabha Chetti and Lakshmana Chetti, both municipal

h Municipal Councillors, the latter
o being named in the subsequent
o petition sent to me. Both deny all
e personal knowledge of the matter;
e but they say they have heard of it.
Padmanabha Chetti says the story
was common talk in the town, and
that he has heard of it "from all the
people in the town"; but he professes
himself unable to give the name
of a single person that he heard it
from.

Lakshmana Chetti says that he
saw a crowd in the big bazaar one
day and was told that Kuppanna
Chetti had stopped Chennakesavulu
Naydu as he was driving in his
coach and asked for his money
back and that Chennakesavulu
Naydu had taken him away to
his house. He afterwards saw
Kuppanna Chetti and questioned
him; and Kuppanna Chetti told
him

him, he had given Rs 200 to Chen-
nakesavulu Naydu; and that as
his licenses had been cancelled, he
had asked for his money back, and
Chennakesavulu Naydu would not
give it.

These witnesses are respectable men
who have no animosity against
Chennakesavulu Naydu so far as
I know.

I examined also Kuppanna Chetti.
I ought perhaps to have given his
evidence first, though he was not
cited as a witness. He deposes that
he and his father Venkatrama
Chetti gave Rs 200 to Chennakesa-
vulu Naydu in his (Ch. his) house,
no one else being present but Chen-
nakesavulu Naydu's Dhalayat Bala
Krishna Pillai, who had arranged
matters, in consideration of his
having got them the shops. Afte-
wards when some of the licenses

were

Was Venkatarama Chetti
Examined?
Yes

were cancelled, he asked his money back; but Chennakesavulu Naydu would not give it and finally told his peon to prevent him (Kuppanna Chetti) from coming near the house. This witness Kuppanna Chetti appeared to me to be speaking the truth; and I think he was an unwilling witness. I had some difficulty in procuring his attendance in the first instance; and, when he did come, he was at first unwilling to speak. Four other persons are named in the allegation as knowing of the bribe though they are not cited as witnesses, viz,

(1) Chellappa Chetti, a Vakil

(2) Kasturi Naydu, Ag English Record Keeper, Collector's Office

(3) Ratnasami Pillay Vennaelanda

(4) Town Mensiff, Pakyam Pillai.

I have examined them. The second and the fourth, Kasturi Naydu and

and Pakyam Pillay deny all knowledge of the matter. Kasturi Naydu, besides being a fellow castesman is, I know, rather a favourite of Chennakesavulu's. He wanted me to promote him more than once, though he is not fit for promotion. He would of course deny it.

Vakil Chellappa Chetti and Record Keeper Ratnasami Pillai speak in favour of the allegation, though they know, they say, nothing personally.

Chellappa Chetti says, Kuppanna Chetti, who is an old client of his, came to him one day along with Govinda Naydu, the writer of the petition now under report and said that he wanted to file a suit against Chennakesavulu Naydu for the recovery of a bribe of Rs 200 that he had paid him.

Chellappa

Chellappa Chetti said he would take up the case. Kuppanna Chetti then went away. He met him again and subsequently and Kuppanna Chetti said he was not prepared to go on with the case as it would be unsafe to proceed against an official. This witness had the appearance of telling the truth; but he has not the very best reputation as a Vakil. Record keeper Ratnasami Pillay was a most unwilling witness. He lives about ten houses from the house where Channakesavulu Naydu lived in the same street. He says he knows nothing personally; but was told by his friends that Kuppanna Chetti came and made a noise in the street saying he had given money for his licenses, and demanding his money back as he had not got the licenses. He denies having seen or heard this performance which is referred to in the

the allegation in the schedule and he does not remember who it was that told him of it.

This witness was certainly speaking the truth so far as he went, but I believe he knows a good deal more than he says. I believe he witnessed the transaction that he refers to. The witness has no possible enmity against Chennakesavulu Naydu. On the contrary, Chennakesavulu Naydu spoke in his favour on the occasion of his appointment to his present post.

Opinion

I am convinced that this charge is true; though as the only direct evidence in support of it is Kuppanna Chetti's own, it could not be proved in a Court. Chennakesavulu Naydu had really no voice in the matter and made no recommendation as I have

Here is his father's Venkatasami Chetti - attested by the superintendent Mr Wish as given 24/

have shown above; but that would not prevent ignorant people from thinking or believing that he had or would. I am inclined to think from Kuppanna Chetty's statement that the money was paid after the grant of the eleven shops.

Para 9

Allegation . . That Chennakesavulu Naynar when Deputy Magistrate was paid Rs 400 to acquit one Combaconam Swaminatha Ayar, formerly Goods Clerk in the S. I. R., accused of theft before him.

Facts of the case C.C. $\frac{104}{89}$. on the file of the Dy. Magistrate Trichy

The accused Swaminatha Ayar was transhipping clerk in the service of the S. I. R. in 1877. Goods were stolen from the wagons going through the Fort Station

Station in that year and some were found on search in the house of Nalesa Ayar, brother of Swaminatha Ayar, the accused. It was alleged that the accused used to abstract the goods and send them to his brother by two porters Kiamuddin (?) and Srinivasam. Nalesa Ayar was convicted by the then District Magistrate of offences punishable under secs. 411 and 414 I. P. C. in C.C $\frac{31}{78}$ and the porter Srinivasan in C.C $\frac{32}{78}$ of an offence under Sec 381 I.P.C. Nalesa Ayar then stated that he got the things from his brother, Swaminatha Ayar, who had then absconded and could not be found. Nalesa Ayar is now dead; and so is one of the porters, and the other porter cant be found. In the present case, the theft and the finding of the things in Nalesa Ayar's house

house were proved, as before, by the 3rd, 4th and 5th prosecution witnesses and that was all the evidence before the Court. The first two witnesses, viz the Chief & Fort Station master and the Prosecuting Inspector knew nothing personally and the 6th and only remaining witness, a Police Constable, only deposed to having arrested the accused at Haidarabad where he has got employment.

There was absolutely no evidence before the Court to convict the accused with the theft, though there can be no moral doubt that he was guilty; nor was there any chance of evidence being discovered; and the Deputy Magistrate had no option but to discharge the accused.

Witnesses to the bribe

M. Subbaramaniya Aiyar the Vakil engaged for Swaminatha

Aiyar, and his Gumastah are named as witnesses to prove this bribe. Subbramaniya Aiyar says that he knows nothing personally, but that he heard some time after that Rs 200 had been given to Chennakesavulu Naydu, the Deputy Magistrate, for his decision. He says that it was one of Swaminatha Aiyar's relations that told him; but he can't give the name.

The witness appeared to me to be unwilling. He told me his Gumastah knew nothing, So I did not consider it necessary to send for him.

Kasturirangam Pillay named as the go-between denies all knowledge of the matter

Opinion

The Deputy Magistrate's decision was correct; and there is nothing to shew that any bribe was given

given.

Para 10

The Collector states that a bribe was given in this case.

Allegation. That Manavimalai Pillai, village Munsiff of Gudalur, gave Chennakesavulu Naydu Rs 500 in cash and Rs 250 in jewels to convict his opponents of criminal intimidation.

Facts of the case — ~~on the~~ C.C. 12/90 on the file of the Dy. Magistrate Trichy Tq.

There was a dispute and a quarrel about the distribution of water. Both sides complained to the Deputy Magistrate. He dismissed both complaints under sec 203 C. of C.P. One side, the side of the village Munsiff, petitioned the Sessions Court; and the Sessions Judge ordered that complaint to be taken on file again and the evidence heard. That is the case under discussion.

The case for the prosecution was that Andi Muppan, the Pallar Servant of the village Munsiff was letting water into his master's land when the two accused persons came up and quarrelled with him and were only stopped from beating him by the presence of the 2nd witness; and finally went away threatening to kill Andi Muppan. Four witnesses were examined for the prosecution including the Complainant Andi Muppan. The Magistrate remarked that they are all "uninterested". The defence was alibi. The accused persons admitted a quarrel with the Complainant, but said it was on the day before and that on the day alleged they were absent, lodging a complaint before the village Munsiff of Muthanampatti, of an assault committed on them by the Complainant, the Counter complaint referred to above. Eleven witnesses

were

were examined for the defence; four to prove faction in the village, a point on which there can be no doubt; two to prove the previous day's assault— the Deputy Magistrate rejected their evidence as contradictory and absurd— —; three to prove the alibi that they were complaining of that assault at the time of the offence alleged in the present case; one who deposed that he was working in the fields next the scene of the offence and that nothing of the kind occurred; and one the complainant, who was summoned as the 1st defence witness, for what reason is not very clear.

The Deputy Magistrate rejected the evidence of the alibi as even if true, it only showed that the accused were only 3/4 mile off at a slightly later hour. The evidence of the 10th witness, who said nothing happened

happened, he rejected as unreliable. The Deputy Magistrate convicted the two accused and sentenced them to one month's Rigorous imprisonment each.

The sentence was not appealable. The accused persons petitioned the High Court; and the High Court passed the following order:- "The sentence has long since expired and besides no point of law is involved. The petition is not pressed and we dismiss it."

Witnesses to the bribe

No witnesses to the bribe were named in the petition now under report, but the subsequent petition sent to one named one Salisbury, the pleader engaged for the complainant in the case, and I have examined him. He denies all personal knowledge of a bribe, but he says he suspected at the time that

that the magistrate had been "bought" for the following reasons. Mr Salisbury told the Pallan, the Complainant, to bring him the witnesses beforehand, so that he might see what they knew about the matter, according to his usual custom. The Pallan did not; and he spoke to him about his omission on the day of trial. The Pallan replies that it did not matter; that the matter had been settled. Further after the hearing, the vakil on the opposite side Raghavayengar got very angry and said the magistrate had got Rs 300.

There is no doubt that Mr Salisbury spoke the truth so far as he went. He may know more; but, in any case, the statement of the Complainant given by him is highly suspicious. Arundanghi Muneesami Chetti, named as the person from whom the

the village Munsiff got the Rs 500 says he did advance Rs 500 to the village Munsiff Mansimalai Pillai on a "note of bond" (= promissory note); but he does not know what Mansimalai Pillai wanted the money for. I omitted to ascertain the date of this loan. I shall get it and compare it with the date of the trial and report the result.

Opinion

There is no evidence to prove that a bribe was given in this case; but there is little doubt that there was. The evidence on both sides was of much the same character and it would be impossible to say which spoke the truth. Further the threat said to have been used, even if proved is a mere every day expression among low-caste people never intended or understood to mean what the words would mean if

if used by a Sober Speaking person; and it is doubtful whether it could properly be held to amount to criminal Intimidation. It would certainly cause alarm to no one and influences no one's conduct. There ought not to have been a conviction; and the infliction of a sentence, against which there was no appeal, looks bad. Fine would be the ordinary punishment. Mr. Salisbury is rather a friend of Chennakesavulu Naynulu, and would not speak falsely against him. He would not admit knowing more than he says, without damaging his professional reputation; but I should say that he does know more. I believe a bribe was given in this case.

Para. 11

Allegation. That Chennakesavulu Naynulu received a

a bribe of Rs 1000 to acquit Periyanna Pillai, brother of village munsiff Manoimalai Pillai of a charge of criminal breach of trust.

Facts of the Case – C.C. 85/89 on the D.S Magistrate's file.

The allegation was that the complainant paid the accused Periyanna Pillai Rs 50 in discharge of a bond debt; but that the accused did not return the bond and was taken as a complaint of an offence punishable under sec 420 I.P.C, cheating and thereby inducing delivery of property

The defence was that the money was paid on account of and was credited to a totally different debt.

The complainant and four witnesses deposed that the accused promised to return the bond if the money was paid; afterwards put off complainant

ant; and finally denied payments. Complainant and two of the witnesses admitted having given evidence against the accused before and the other two witnesses belong to a different village, and one at least could not explain why he was there, at the scene of the promise alleged. The remaining witness, the 6th, deposed only to the payment and said nothing of a promise to return the bond.

The Magistrate Chennakesavulu Nayudu held that there was no evidence of cheating and discharged the accused under sec 253 C of C. P.

Witnesses to bribe

None named.

Mr Salisbury knows nothing of this case

Opinion

The Magistrate's decision in this case was correct; and there is no reason to think that

that a bribe was given. That Rs 1000 should be given in such a small matter is of course absurd.

Para 12

Allegation. Bribe of Rs 150 paid through Kasturirangam Pillai to secure acquittal of Subramaniya Aiyar accused of defamation.

Facts of the case C. C. 7/90

There were two accused persons in this case, the first being the Subramaniya Aiyar referred to. The Complainant and the two accused persons were contractors. All three tendered for a certain contract to the agent S. I. R. The first accused's tender was the highest and was accepted, but this acceptance was subsequently cancelled and the ~~complainant~~ contract given to the Complainant instead, on the receipt by the Agent S. I. R of a letter purporting to be from

from the 1st accused withdrawing his tender. Another letter was also received by the Agent S. I. R. purporting to come from the 2nd accused reducing the 2nd accused's tender. Both the accused persons hearing of these letters went to the Agent's office and told him that they had not written these subsequent letters reducing or withdrawing their tenders and that they suspected the Complainant had written them. The 1st accused then got the contract. This statement of the accused that they suspected the Complainant of having written the letters constitutes the defamation alleged. It was said also that the accused had made similar statements in the bazaar.

The Magistrate held that the words alleged did not amount to defamation as they came under exception 9.

Application

application was made to me to revise this discharge. I declined to interfere having read the evidence.

Witnesses to bribe

None named; and the alleged go-between Kasturiranga Pillai denies it

Opinion

The decision was perfectly correct and there is no reason to think that any bribe was given.

The Collector considers that the decision was grossly improper, and that although no bribe is alleged, there must have been some reason for the Dt Magistrate's perversion of justice.

Para 13 X

Allegation

That he reversed a conviction of the Srirangam Bench Magistrate's "before the Vakil could talk and then asked if there were any grounds". No bribe is alleged in this case. Para 14 says the reversal was to please the Vakil Rangasami Aiyar.

Facts.

Facts of the case CA 63/90

The allegation was that the three accused persons who are rivals of the Complainant in the milk trade attacked Complainant and beat him. The defense was alibi. The Benchmagistrates convicted of Hurt, Sec 323 I.P.C.

The appeal judgment runs as follows

"There are discrepancies of a material nature in the evidence of the prosecution witnesses. The petition of the accused to recall and examine some witnesses was rejected contrary to the provisions of the procedure. I therefore reverse the judgment of the Lower Court and order that the fines levied be refunded of any kind." Now the only difference in the prosecution evidence was this. The Complainant said that the three accused attacked and beat him

him, the 1st and 2nd accused with their hands and the 3rd accused with a slipper; while the four witnesses said that the 1st and 2nd accused caught complainant by the hair and beat him and that the 3rd accused slippered him, that is, complainant made no mention of having been caught by the hair, while his four witnesses did. The Bench magistrates noticed the point in their judgment. They thought the discrepancy not material as the accused would have to catch hold of complainant somewhere in order to beat him.

The alleged refusal to recall some witnesses is not supported by the record. It was apparently a mere allegation of the Appellant's Vakil. The appeal judgment, it is to be noticed, does not describe the offence alleged or the evidence for or against it

it:

Opinion

The reversal of the conviction in this case was quite improper; and the reasons given for the reversal are either untrue or not borne out by the record. I noticed the judgment at the time and passed remarks on it similar to what is quoted in the Schedule. The underlining of the reasons for the reversal did not come to my notice as no petition was presented to me on the subject and there was no reason to call for the records of the Bench Court.

No bribe is alleged in this case; but there was certainly a disgraceful abuse of power.

This seems to call for action
DLS

Para 14

Allegation

(No bribe is alleged)

That

That Chennakesavulu Nayndu appointed a worthless man, a relation, as Cash Keeper in the municipal office.

facts.

Chennakesavulu Naydu took charge of the office of Chairman ex-officio in Sept 1889 being Deputy Collector in charge of the division. The post of manager fell vacant and he nominated Venkatesa Naydu, the Second Clerk (Cashkeeper), in the municipal office. Venkatesa Naydu was reported competent by Mr Partridge, formerly Assistant Collector who had held the office of Chairman for a considerable time; and he was appointed manager on probation. Chennakesavulu appointed one Ramgaiya Naydu as Cashkeeper in his place. I have not heard that he is a relation; but he is a fellow-

caste man

castoman. Chennakesavulu Naydu was always for favouring his fellow caste-men when he could; but in that he differs in no way from other natives. Venkatesa Naydu has lately resigned his post of manager and reverted to his former post of Cash Keeper turning out Rangaiya Naydu.

Chairman Rangasami Aiyar has told me, more than once that Venkatesa Naydu was unfit for the post of Manager; but he never said that Rangaiya Naydu was unfit for the post of Cash Keepere.

Schedule II

Paras 1 & 2

Allegation. Presents of (1) a gold watch and (2) Rs 200 from K. Vasudeva Aiyangar.

Result of Enquiry

Vasudeva Aiyangar denies having given the watch. He says he sold it to Chennakesavulu Naydu for Rs 100, having bought it from Messrs P. Orr & Sons on the 6th May '87, that is about two years before for Rs 125. "Chennakesavulu Naydu asked him to sell it and he sold it". It was an open-faced gold watch.

Vasudeva Aiyangar now wears a gold hunter keyless watch marked "Elgin" for which he paid Rs 150. He denies having ever given Chennakesavulu Naydu Rs 200. Never had any

any
case pending before him.

Opinion

Vasudeva Ayangar is a most respectable young man, well-conducted and, though not actually the largest, probably the most prominent, of the Raiyatwari landholders of the district. I believe him to have spoken the truth, Lohennakesavulu Naydu has, of course, no business to buy the watch or to offer to buy it; but there is nothing to support the statement that he got it for nothing.

What is the opinion?

Para 3.

Allegation

Bribe of Rs 100 paid through Record Keeper Ratnasami Pillai to appoint the son of Tulasi Naydu, Municipal Inspector, Trichinopoly, to a post in Kulitalai Taluq when Ch. N. was Sheristadar.

facts.

facts

Muthukrishna Naydu, the man referred to acted in various posts from '86. In '88 he was appointed by the then Head Assistant Collector to act for one Rama Das Rau, who had applied for pension. It was found that Rama Das Rau had four months more to serve, and he was ordered by Government to serve it out. He rejoined displacing Muthukrishna Naydu. He again retired after the end of four months, and the then Ag. Head Assistant Collector Mr. P. Ramachandra Rau appointed Muthukrishna Naydu to act again pending the sanction of Govt to the pension. This was early in '89. There was a change in the office of Head Assistant Collector before the Government sanction was received for the pension, and when the sanction was received

Mr.

Mr Mir Shujaat Ali Khan, then Head Assistant Collector appointed another man permanently to the post. Muthukrishna Naynda appealed to me. Chennakesavulu Naynda put the facts before me in an Office Note correctly and fairly (I have verified them all) and pointing out the injustice to Muthukrishna Naynda. The Head Assistant Collector Mir Shujaat Ali could give no reason for ousting Muthukrishna Naynda, the man put in and intended to be confirmed by his predecessor; and I therefore altered the order and confirmed Muthukrishna Naynda. Tulasi Naynda and Ratnasami Pillai both deny the bribe. This of course might be expected in any case.

Opinion

There is nothing to shew that a bribe was given in this

case. Chennakesavulu Naynda's Office Note was perfectly correct and just

—

Para 4

Allegation

Bribe of Rs 200 to give appointment to Ramasami Pillai.

Facts

Ramasami Pillai is an F.A. He was appointed Amuchi in August 89. was estate Clerk before that. No witness to bribe.

Opinion

The post of Amuchi is not too high for an F.A. I have appointed some F.As even to Clerk's posts. There is nothing to shew that a bribe was given

—

Para 5

Allegation

Bribe

The Collector finds that this charge is true.

Bribe of Rs 200 paid by Manikka Mudali, Clerk Collector's Office, as the price of his confirmation; the money being borrowed from Chidambara Mudali, a Municipal Councillor: on a document; afterwards sued on in the District Court.

Facts

Manikka Mudali is a Maternlate. He was confirmed on Rs ~~20~~ 15 and appointed to act on Rs 20 by Mr. Willock in Dec! '88. The draft order for this double appointment is in Chennakesavulu Naydu's handwriting; but it is not alleged that any money was paid for that appointment. The acting appointment was in the arrangement of Rangesa Rau, Assistant Vernacular Record Keeper who was on furlough. Rangesa Rau retired in August '89, and the place became vacant permanently. Manikka Mudali was confirmed. I confirmed the acting men as a matter of course. The order of confirmation mentions no names. It runs "The acting arrangements already made are confirmed." There is only one suspicious point about the matter; viz that the date of this order of confirmation is just three days later than the date of the promissory-note, on which Manikka Mudali borrowed Rs 200. I got the promissory note from the District Court. It runs "On demand I promise to pay to M.R.R. A. C. Chidambara Mudaliyar of Tanjore (?) or order the sum of Rs 200 with interest at one p.c per mensem for value received in cash". It is dated 11-8-89, and is signed across a Re 1 Receipt Stamp, by Manikka Mudali, the

date

date of the order of confirmation being 14-8-89.

Both Manikka Mudali and Chidambara Mudali, his maternal uncle, admit the pro-note. Their story is that Manikka Mudali borrowed the money from his uncle not for himself, but for his other maternal uncle who is not on good terms with Chidambara Mudali and would not go to him direct.

Opinion

The story of Manikka Mudali and his uncle is not probable and the sequence of dates is very suspicious. Manikka Mudali had not the appearance of telling the truth. Though it would be impossible to prove it, I fear this charge is true. I was bound to confirm the acting arrangements; but the clerk may not have known that; or a promise may have

have been given when he was first appointed to act in the previous year.

Para 6

Allegation

Bribe of a Benares cloth for the appointment of Bhashyam Naynda son of Narsimhulu Naynda, L. F. Engineer's late Head clerk. No witnesses.

Facts

Bhashyam Naynda is a matriculate. He was first appointed to act on Rs 15 by Willock, then Acting Collector, in October 88. (the draft order is in Chennakesavulu Naynda's hand) and confirmed by me in August 89 in the same order as that referred to in para 5 as he was acting in the same arrangement.

Opinion

There is nothing to shew

shew that this charge is true. Chennakesavulu never said a word to me in favour of Narasimhulu Naydu, the L.F. Engineers Head Clerk, when enquiries were being made about him. When I passed the order dated 14-8-89 confirming the Acting arrangements on the retirement of Rangesa Rau, it was not brought to my notice that I was confirming a son of Narasimhulu Naydu's, but, even if it had been, I don't see that I could have turned him out when he had been acting for about 10 months and there was nothing against him.

—

Para 7

Allegation

Bribe of Rs 100 for creating a new post of attender in the Trichinopoly Taluq Board and appointing to it the nephew of Narayanasami

Narayanasamy Naydu, the Record Keeper.

Facts and Opinion

This charge is frivolous. Attenders have been found necessary for all Taluq Boards. The creation of this post was decided on by the District Board. There is nothing to shew that a bribe was paid for the appointment of Narayanasami Naydu's nephew. Caste-favouritism accounts for it sufficiently.

—

Para 8

Allegation. Bribe of Rs 200 to appoint one Govindasami Naydu, a nephew of a broker named Narayanasami Naydu, Karambu Superintendent in the Head Assistant Collector's division, when he was in charge of that division for a few days.

facts.

Facts

Chennakesavulu Naidu when Deputy Collector was in charge of the Head Assistant Collector's Division for a few days last May, in addition to his own Division of Trichinopoly Taluq, pending the arrival of Mr Jardine. The post of Korambu (= dam) Supt. on Rs 15 fell vacant. Chennakesavulu Naidu filled up the post at once, appointing Govindasami Naidu instead of letting the appointment wait for Mr Jardine to make, as he ought to have done. He made some similar irregular appointments in the ordinary staff and I pointed out the irregularity and told Mr. Jardine when he joined to cancel them and make his own appointments. He did so.

Opinion

Chennakesavulu Naidu's

Orders

orders of appointment were contrary to the Board's Standing Orders as he was only in charge for a few days, and were very improper. It was gross abuse of power to attempt to rush the Division in a few days. The broker Narayanasami Naidu denies having given any bribe; so there is nothing to show that money was given. Money may have been given, or caste feeling would account for it.

The Collector considers that this charge is a true one, and suggests a reference to Chinnakesavulu Naidu. —

—

Para 9 XX

Allegation

Bribe of a palanquin Coach and twelve sovereigns for the appointment of Kandaswami Pillai to his first post on Rs 15 in the Collector's Office. The Coach has been sold to Sanjiva Rau, Pleader, and was being varnished and

done

done up for him and given to Chennakesavulu Naynidu, Chief Sheristadar.

Facts

Kandaswami Pillai's first appointment to act was before Chennakesavulu Naynidu became Sheristadar. He was confirmed by Mr. Wellock in 1888 after Chennakesavulu had become Sheristadar. He is a B.A. There is nothing suspicious so far. It is clear however from the statements of the persons I have examined that the Vakil Sanjiva Rau was in treaty for a coach about the time of Kandasami's confirmation, with Ramasami Pillai, now dead, brother of Kandasami's, that the negotiations were broken off and that the coach became the property of Chennakesavulu Naynidu.

Evidences as to bribe

I have examined

(1) Vakil Sanjiva Rau

(2) Kandasami Pillay (through the Head Asst Collector)

(3) Police Constable Palaniyandi Pillai a Pangali of Kandasami Pillai's (not a brother as stated in Schedule)

(4) Shekh Ali } Keepers of Library Stables and carriage repairers

(5) Khadir Badsha }

Vakil Sanjiva Rau says he asked the late Trichinopoly Club writer Ramasami Pillay about two years ago to get him a carriage. (Ramasami Pillai was Kandasami's brother, though the Vakil professes not to know this; and used to keep hack carriages for hire. He was allowed to keep one coach in the stables in Club Compound in case it might be wanted by members). Ramasami Pillai took him to the Club Stables and shewed him a palanquin Coach. Sanjiva Rau

Sanjiva Rv

Ram agreed to pay Rs 80 for it and took it to his house "to see whether his horse, a galloway, was strong enough to pull it". He kept it a couple of days and then cancelled the bargain finding "that it was too heavy for his horse". He professes not to know who the owner of the Coach was; and not to know Police Constable Palaniyandi Pillai or Kandasami Pillai. The carriage he says was not in good repair; but he did not begin to paint it. He saw sometime after that Chenna-Kesavulu Nayudu had the Coach, but says he does not know how he got it or what he paid for it.

This witness's demeanour did not impress one favourably. He was highly nervous though he had no occasion to be nervous if he were telling the truth. Some of his statements are certainly false as will be

seen

seen from the statements of the other persons examined. viz., (1) that he does not know who the Coach belonged to; he was a friend of Ramasami Pillai's and must have known he buied and sold Coaches. (2) that he does not know Police Constable Palaniyandi Pillai mentioned in the Schedule (Palaniyandi says that Sanjiva Rau spoke to him about the Coach before going to Ramasami); (3) that he does not know Kandasami Pillai, who was brother to, and lived jointly in Trichinopoly with, his friend Ramasami Pillay. Further Kandasami says he knows him. I believe this witness has kept back the truth. He is respectable, I believe; but was afraid to speak. ~~the truth~~ The next witness Kandasami Pillai denies all knowledge of the whole matter. He says his

brother

brother Ramasami, now dead, the Club writer, had palanquin Coaches, but he does not know whether Ramasami gave or sold Chennakesavulu a coach. He knows Vakil Sanjiva Rau, but he denies having sold him a coach and then cancelled the bargain. He denies having given Chennakesavulu Naynulu a coach or 12 sovereigns or anything else.

This last denial was to be expected His denial of knowledge as to whether or not Chennakesavulu Naynulu got a coach from his brother with whom he lived jointly can't possibly be true

The next witness is Palaniyandi Pillai, a cousin of Kandasami Pillai and of his brother the Club writer Ramasami Pillai. His statement is as follows. Ramasami Pillai had a few "Coach bandies"

He

He used to keep one at the Club with the permission of the President, Nurdogan, and the rest at a stable. He had sold all but that at the Club at the time of the transaction under reference, the one left at the Club being a large coach that he had bought with a horse for Rs 350 or Rs 360. Vakil Sanjiva Rau asked the witness to get him that coach. Witness told him to speak to Ramasami Pillai himself, as he was a friend of his, the Vakil's. The witness says that Kandasami Pillai and Ramasami Pillai lived together and did business in common, being undivided brothers. Sanjiva Rau agreed to buy the coach and it was taken to Shekh Alis stable to be repaired. Shekh Ali delayed in his work, and Kandasami Pillai asked the witness to frighten him into doing it

quicker

Pricher, witness being a Police Constable in the Police Station close by the stable. Witness spoke to Sheikh Ali accordingly. Witness knows that that Coach afterwards belonged to Chennakesavulu Naynda. Witness contradicts the statement made in the allegation in the Schedule that he went to Sanjiva Rau and told him he could not have the Coach. Witness says the events he describes took place in the month in which Kandasami Pillai was confirmed; and that Ramasami Pillai died shortly afterwards

This witness had the appearance of speaking the truth, though it is but fair to note that Kandasami Pillai describes him as his enemy

I then examined Sheikh Ali, mentioned by the last witness. Sheikh Ali denies having repaired the Coach himself. The work was done, he

says

says by another man Khadir Badsha who brought it to his Stable along with Kasturirangam Pillai (an Estate peon mentioned in Schedule I paras 9 and 12) and said it belonged to Chennakesavulu Naynda. The Coach stood there 15 or 20 days while Khadir Badsha was working at it. and then Kasturirangam Pillai took it away. Witness knows Police Constable Palaniyandi Pillai and Vakil Sanjiva Rau. The former never came to hurry witness. He had no occasion to as Khadir Badsha was the man doing the work. Does not remember Vakil Sanjiva Rau coming to look at the Coach. I then examined Khadir Badsha. He says Ramasami Pillai and a Tamil man whose name he does not know (probably Kasturirangam Pillai) took him to

Sheikh

Shekh alis stables, shewed him a coach, and asked him to paint it. He agreed for Rs 25 and did the work there in Shekh Ali's. Witness does not remember the Police Constable Palaniyandi Pillai telling him to expedite the work; but Ramasami Pillai told witness he would be angry if he did not finish the work quickly. When the work was done Ramasami Pillai and a nayakkan, whose name he says he does not know came and the nayakkan took the coach away Ramasami Pillai paid witness the Rs 25 agreed on and gave him also a present of a cloth.

Opinion

It is clear from the above that Chennakesavulu Naydu got a palanquin coach from Ramasami, ~~Kandasami's brother~~ Kandasami Pillai's undivided brother

brother who lived and ate with Kandasami Pillai about the time of Kandasami's conformation in my office, that a bargain for the sale of the same coach made just before with Vakil Sanjiva Rau, was broken off and apparently for the reason that Chennakesavulu Naydu wanted it. (Vakil Sanjiva Rau's reason for cancelling the bargain is not true, for the Coach is a light one and Chennakesavulu Naydu used to drive a small country-bred about 14·2 hands in it); and Ramasami Pillai paid for the painting and repair of the Coach (vide Khadir Baddha's Statement) and pressed the workman to finish the ~~work~~ repairs quickly, though the Coach had by that time become Chennakesavulu Naydu's property. Further if the Police Constable's evidence is to be believed

believed, Kandasami also was interested in the matter, for he asked the Police Constable to use his influence to hurry the work. The Statement in the Schedule that the bargain with Sanjiva Rau was not cancelled till after the Coach had been taken to be repaired is apparently not correct; for it was described as Chennakesavulu Naynalu's when taken to be repaired; but the point is not material.

The death of Ramasami Pillai is an obstacle in the way of finding out whether Chennakesavulu Naynalu paid for the coach or got it for nothing. I would suggest directing the Collector of Anantapur to call on Chennakesavulu Naynalu personally to produce a receipt for the price of the Coach. If he can't produce one or in default trustworthy evidence that he paid money

money for it, he must be held guilty. The case looks very black against him.

As to the twelve sovereigns there is no evidence.

I have been told though I have got no evidence on the point that another brother of Kandasami Pillai's who is in Rangoon, gave, or sent, Chennakesavulu Naynalu a gold watch with the initials of that brother on it. Kandasami Pillai has two brothers in Rangoon, Kuttiya Pillai and Muthusami Pillai. I don't know who is the one referred to. The Collector of Anantapur might call for the watch and if the initials on it are "K. P" or "M. P" ask him how he came by it.

—

Para 10

Allegation

Bribe

Bribe of Rs 200 to give Krishna Aiyar a Clerkship. He got an attendership.

Facts & witnesses

No witnesses are cited in the first instance. The Subsequent petition cited my present Acting Sheristadar Seshaiyar. He denies all knowledge of it; though he says he has heard people say that a bribe was given.

Krishnaiyar himself denies it. He is now a clerk in the S.I.R. Chief Auditor's Office. Has acted as clerk and as Vafterband Trichinopoly Taluq.

Opinion

Nothing to shew a bribe ~~was given~~ in this case. If a bribe had been given he would have tried to confirm the boy.

Para 11

Allegation

Allegation

Bribe of Rs 70 and a cow worth Rs 35 paid by Sundara Mudali, a stamp Vendor to prevent his emoluments being curtailed.

Facts

The Board of Revenue Suggested a reduction in the rate of Stamp Vendor's discount in '88, and Mr Willock then Acting Collector with the Board's approval ordered a reduction in the case of three stamp vendors whose profits were over Rs 30 a month, Sundara Mudali being one of the three. Sundara Mudali appealed to Govt. Govt called for a report. Willock reported that he had acted under the Board's orders and that he considered it harsh to cut down the petitioner's income, merely because he had by his ability and industry outstripped the other Stamp Vendors who

who sold stamps near him. In the end Govt. declined to interfere with the order but cut down the others stamp-vendors close by to the same rate.

There is nothing to shew that Chennakesavulu Naynâr then Sheristadar, made any representation in Sundara Mudali's favour. Mr. Willock invariably consulted the Sheristâdar by word of mouth and not by office note, and there is nothing on record to shew what Chennakesavulu said. No part of the draft of the letter to Govt nor of any paper in the bundle is in Chennakesavulu Nayudu's hand writing, with the exception of a routine endorsement on one of the Board's Proceedings. The first part of the draft of the letter to Government reporting on the appeal petition, that is the part giving the

facts

facts is in the handwriting of a clerk. The rest of it, saying that the Board's order was a harsh one etc. is in Willock's own handwriting. The other important letters in the bundle are all in Willock's handwriting. There is thus nothing to shew that Chennakesavulu Naynâr made any representations in Sundara Mudali's favour, though it may have been he that pointed out the "harshness" to Willock.

Witnesses

I have examined

(1) Vakil Sanjiva Rau named in the Schedule as a witness

(2) Balasundara Mudali, District Court Translator cited in the subsequent petition

&(3) Sundara Mudali, the Stamp-Vendor, himself

Sanjiva Rau says that Stamp-Vendor Sundara Mudali got from him

him a sum of money more than two years ago, either Rs 25 or 50 he thinks and told him he wanted to give it to the Sheristadar Chenakesavulu Naydu to get his favour in connexion with Sundara Mudali's petition to Government, which had been referred to the Collector for report. Witness is in the habit of making advances to Sundara Mudali for the purchase of Stamps that is of keeping a deposit with Sundara Mudali and getting Stamps as he may want them up to the limit of that amount; and so he does not remember whether he gave this money as a deposit or as a loan. Witness saw Sundara Mudalis petition to Government, before it was sent to Government, and the transaction he describes was subsequent to that.

This witness appeared to be telling the

truth. His examination on this para was on a date subsequent to his examination on para 9. When examining him on para 9, I did not notice, or forgot, that he was cited for this para also. Balasundara Mudali, the translator of the District Court was said in the second petition received by me, to have Sundara Mudali's private accounts in which the bribe would be recorded. He denies having the accounts. He says, he never heard any talk of this bribe, till about the day that I sent for Stamp-Vendor Sundara Mudali to examine him, that is seven days before this witness was examined. He heard then that the Vakil Sanjiva Rau had given the stamp vendor Rs 50; and asked him whether that was true. Sundara Mudali looked at his

accounts

accounts and read out an entry to the effect that he had got Rs 50 from Sanjiva Rau. The entry did not say what the money was for. The witness asked what it was for, and Sundara Mudali said it was in connexion with an appeal to Government which had been dismissed. Witness refrained from asking any further questions as he "did not want to know any more"; Witness "had heard of some corruption in the district, but did not want to know more details." This witness was highly nervous. Either his whole story is a falsehood or he knows a great deal more than he says.

The Stamp Vendor Sundara Mudali denies the whole transaction.

Opinion

In the absence of any record of any recommendation made

made by Chennakesavulu Naydu on behalf of the Stamp Vendor, I do not think any charge has been brought home to Chennakesavulu Naydu in this case. The Stamp Vendor denies the bribe, though his bribe if given was not successful, for his appeal was dismissed, and Sanjiva Rau's and the translator's statements are too shadowy to be relied on.

Para 12.

Allegation.

Bribe of Rs 500 paid to Chennakesavulu Nayudu, when Sheristadar to secure the appointment of Local Fund Engineer's Head Clerk for Ramaswami Aiyangar and Ramaswami Aiyangar's former post of Local Fund Audit Clerk for Ramanuja Aiyangar

facts.

Facts

I appointed Ramaswami Aiyangar to the post of L. F. C's Head Clerk entirely on the recommendation of a former Treasury Deputy Collector, Swaminatha Aiyar under whom he had worked who had just left the district. The Deputy Collector's recommendation is on record; and besides I remember the facts distinctly. I did not consult Chennakesavulu Naydu and I don't remember his making any recommendation. It was altogether outside his sphere.

The other man Ramanuja Aiyangar I selected myself as he was the only graduate applicant. Chennakesavulu Naydu made no recommendation in his favour.

Opinion

This charge is frivolous, and entirely unsupported by any evidence.

—

Para 13.

Allegation

Bribe of Rs 1000 by Appavu Pillai, now Deputy Tahsildar of Manapparai (a) for getting him promotion (b) for appointing his son-in-law to a Rs 10 post and (c) for winking at Appavu Pillai's own bribes.

Facts

Appavu Pillai has the worst possible character; but I have never heard Chennakesavulu Naydu say a word in his favour so far as I recollect. He was Taluk Sheristadar, Trichinopoly Taluk on Rs 60. I promoted him to a Deputy Tahsildarship on Rs 70 to get him out of town. He can't do

do much harm at Manapparai and he will stop there.

I made the appointment myself. I did not consult Chennakesavulu Naydu, then Sheristadar. I remember remarking to Chennakesavulu not long after I joined the district that I was certain that Appavu Pillay was dishonest, from what I saw in his magisterial calendars; and he said I was right. Shanmugam Pillai, Appavu Pillai's son-in-law was given a Rs 10 post in the Trichinopoly Taluk by Chennakesavulu Naydu, when Deputy Collector. He is a matriculate.

Opinion

I don't think there is anything in this charge.

—

(Signed) J. W. Fawcett.

West End Hotel
Bangalore
31st Dec: 1890

17/1

REVENUE DEPARTMENT.

No.

From

Dated 18 .

FOR ORDERS.

List of cases with Coker's opinions.

Schedule. I

1. Bribe not proved - Dt Magte's judgment in appeal correct though meagre. Coker not disposed to think any thing of this charge.
2. Gift of diamond ring - Dt Magte's decision incorrect but no evidence of a bribe. Great suspicion in this case.
3. Dt Magte reversed lower Court's judgment on appeal. High Court reversed Dt Magte decision which was clearly wrong. No evidence of a bribe.
4. Decision correct. No evidence of bribe. The transfer of the Dist Magte made on Coker's own motion.
5. No evidence of any bribe. Case suspicious.
6. Decision correct - No reason to suppose bribe given.
7. Decision correct - No bribe.
8. Ganja licenses. Coker convinced that this charge is true. Only one witness gives direct evidence of bribe.
9. Decision correct - no bribe.
10. Coker thinks bribe was given, but there is no evidence to prove it: it is mere suspicion.

FOR ORDERS.

11. 12. } Decision correct—no bribe.

13 Decision improper, but no bribe alleged

14. Orders not wrong and no bribe alleged.

Schedule II

12. The Dy Collector evidently bought watch from one Vasudeva Nayagar. This was improper—No evidence of bribe.

3 & 4. Nothing to show bribe. Office notes prepared by Dy Coll. (then Sheristadar) correct.

5. Collector fears this charge is true.

6. Nothing to show the ten of charge.

7. Charge frivolous.

8. Dy Coll's action in making appointments in H&C's division, of which he only held charge for a few days, improper. No evidence of bribe.

9. Collector believes this charge (the bribe of a palanquin coach) a true one & suggests reference to Dy Collector himself.

10. Nothing to show the ten of charge.

11. Stamp vendor's case. Nothing brought home to Dy Collector.

12. Charge frivolous.

13. Nothing in this charge.

Rm

REVENUE DEPARTMENT.

Cuo. 8181/90
CNo. 186/91.

① Petition. ② Confidl no. 3.

From ② The Collector, Trichinopoly.

Dated 7 Jan. 1891.

FOR ORDERS.

In November last a long petition (Cuo. 8181/90) was received in this office making certain specific allegations of bribery & corruption against C.R. Chinna-Krsavulu Naidu, at present acting Dy Collector Kumbakonam, formerly Ayyan Sheristadar and Dy Collector Trichinopoly. This petition was transferred demi officially to the Collector who was directed to report whether there were any grounds for holding a formal investigation into the various charges.

Mr. Fawcett now submits a very full report upon the subject: he has investigated all the charges with the greatest care, and gives a clear opinion as to the merits of each case. Under

orders from the Secretary.
I have had this report copied,
and the case is now submitted
for orders.

Attention is invited
to Mr. Fawcett's summary,
at the beginning of the report.
He considers that the charges
of bribery made in four
cases (Sched. I. 8 & 10. Sched. II. 505)
are true, but fears that no
conviction could be obtained
in a court of law. In case
Sched. I. 13 no bribe is
alleged, but Mr. F. considers
that there must have been some
motive in passing so grossly
incorrect a decision.

From Mr. Fawcett's
summary of each case
it would appear that in
no case could a criminal prosecution
be supported. The only
case in which there is
any direct evidence of
a bribe being given is
Sched I. 8. This was in
connection with the sale
of some ganja shops. The
Collector says that Chinnakesavulu
Naidu

Naidu had absolutely no
voice in the matter, as the
selection of renters was made
entirely by the Collector. The
man said to have given the
bribes deposed before the Collector
that he and his father (the
nominal renter) gave Rs 200
to Chinnakesavulu Naidu, &
the Collector thinks that he was
speaking the truth. The other
witnesses only speak from
hearsay.

In the other charges,
which Mr. F. considers to be
true, there is no direct evidence.

Several of the remaining
charges are rejected as frivolous.

The petitioner, who
has brought all these matters
to light, was convicted under
S. 504. I.P.C. and Chinnakesavulu
Naidu upheld his conviction
on appeal: this accounts for
his enmity with the Dt. Collector,
but as Mr. Fawcett points out
in his covering letter, it does
not affect the truth of the
petition. If unsupported by
other evidence, the pet[r] would

indeed have little or no weight, but the Collector has examined a large no of persons, and Chinnakasawda Naidu's character does not come out of the enquiry unstained.

Orders are now requested as to what steps should be taken. So far the enquiry has been purely ex parte, and without doubt Ch: Naidu will have ready answers to each & every charge. In all cases except one there is hardly any thing more than suspicion, but this suspicion is too strong to permit of the various allegations passing unnoticed.

Rm
25. Jan. 91.

Mr. Fawcett has carried out the investigation very thoroughly & his report is clear to the point. I think his conclusions

FOR ORDERS.

REVENUE DEPARTMENT.

No.

From

Dated 18

FOR ORDERS.

I think that Ch: Naidu
No 8 should be called on for explana-
tion on those of the charges
Nos 5 & 10 of Schedule I
& No 9 of Schedule II.
As regards the gunja
licenses it seems that
there were 2 persons present
when Khoja was given,
namely Kalinka-Gurra &
his father - the latter
not mentioned in affidavit of
the Police.
The allegation in No 10
that bribe-taking is
so notorious that he
ought not to pass it over
without strong condemnation
of the behaviour of Ch: Naidu
as a Magistrate and explanation
from him why necessary
further formal enquiry.
Rs 500 Rs deposited
by A. R. Chetti & the
Village Munsiff sent on
the records upon Ch: Naidu

are sound, the result
is that although on
several counts there is
very strong suspicion
against Chinnakasawda
Naidu, of misconduct, there
is no case sufficiently
strong to warrant a
formal enquiry. In
cases like these it is
always difficult to get
direct trustworthy evidence
but I think that is strong
a ground to warrant
be would think that
Chinnakasawda Naidu
is corrupt. Cases 5
& 10 in Schedule I &
case 9 in Schedule II
appear to me to raise
a very strong suspicion

FOR ORDERS

Mr Fawcett reports that Chinnaketsavalu Naidu's explanation should be taken as the last material case but that he should first produce a receipt for the cooly which will not be causing as receipts are often not kept as in this case. The most important witness is dead. There is no breach of trust in his accepting a present from a friend in Rangoon. As far as I can see for the ongoing conduct when & the business is simply subject Chinnaketsavalu Naidu this punishment of imprisonment as above taken. & tell the Board to take an early opportunity of transferring him. Chinnaketsavalu Naidu is now acting as Deputy Collector and stands as acting for V. Sethayya Chetty

FOR ORDERS

began & his disposal of the case is of itself quite enough to expel him from Service -

Letter of the Collector should be called for, he calls on to prove that he paid a fair price for it & to explain the circumstances under which he bought it

4/2/91 D.M.F.

Charges against Chinnaketsavalu Naidu.

Eq. D.y Collector

Mr Hon. Mr Garstin. C.S.I.
The Hon. Mr Stokes. C.S.I

Copies of the charges & Ch. Naidu & he & Ch. be called on to explain & on return to Tr. if his explanation is not considered satisfactory the Ch. be suspended pending the inquiry.

4/2 D.M.F.

I agree with the Junior Secretary that the best course would be to call for Chinnaketsavalu Naidu's explanation before taking any further steps in the matter. Should the explanation be considered unsatisfactory, I would get the facts of Mr Sethayya Chetty's case examined. If the circumstances there are found to be similar to those in the present case, I think that Mr Sethayya Chetty should be dismissed from the service. If, however, the circumstances are found to be different, I think that he should be suspended pending the inquiry.

4/2/91 W.

REVENUE DEPARTMENT.

Current No.

From

Dated 18 .

FOR ORDERS.

a case for criminal prosecution.

Mr Fawcett reports that Chinnaketsavalu Naidu's explanation should be taken as the last material case but that he should first produce a receipt for the cooly which will not be causing as receipts are often not kept as in this case. The most important witness is dead. There is no breach of trust in his accepting a present from a friend in Rangoon. As far as I can see for the ongoing conduct when & the business is simply subject Chinnaketsavalu Naidu this punishment of imprisonment as above taken. & tell the Board to take an early opportunity of transferring him. Chinnaketsavalu Naidu is now acting as Deputy Collector and stands as acting for V. Sethayya Chetty

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H.L.S
5 Feb

By all means, let him go back and call for an explanation as to circs in no. 6 & 8. and if 9. W
9/2/91

Let him go back quickly & let us have the explanations we ask for.

D.M.F.

Certainly let him go back.

H.L.S

The completeness & clearness of Mr Fawcett's report should be warmly acknowledged. It is quite a comfort to get such a report in a case of this kind.

H.L.S W

to the elected person employment as Deputy Chairman.
This is a simple solution of the difficulty & seems to be the best. The Board can arrange a transfer from Finchley to another district shortly afterwards.

CG
29/1/91

FOR ORDERS.

Charges against Mr. Arunachalam Pandithurai acting Deputy Collector.

The Hon'ble Mr. Grierson C.S.I.
The Hon'ble Mr. Stokes C.S.
H.E. the Governor.

REVENUE DEPARTMENT.

No.

From Demi official from Mr. Fawcett Collr. of Trichinopoly.

Dated 18. Feb. 1891.

FOR ORDERS.

Mr. Fawcett has had* taken the statement of Vencataramana Chetty, the father of Kuppanna Chetty, as directed by Govt.- The father confirms the son's story.

A draft order is now submitted for approval. It is not known whether Hon'ble Members will consider that Chinnathesavalu Naidu should be criminally prosecuted on Charge I. 8. The order merely calls for an explanation in Charges I. 8. & II. 9.

Rice
21. Feb. 91.

I think the explanation should be obtained before any proceedings are taken.

Ch
21/2

L&S
23/2/91

Issued
27 Feb

* by his Prob^n Assistant

FOR ORDERS.

Confidential

Criminal Sessions
Naidu's Case

Mr Hon. Mr Garstin. C.S.I
Mr Hon. Mr Stokes. C.S.I
H.E. the Governor.

NOTE FOR THE SECRETARY.

In the office copy of the order only the papers were originally read – cres 8181/90 & 186/91 – and the latter containing Mr Fawcett's report, was referred to in para 2 of the cres as second of the papers read. But I have entered the complete correspondence in succession in the fair copy of the order and Mr Fawcett's report becomes the third paper. I have therefore, altered "Second" into "third" in the office and fair copies subject to approval.

V.P.
5/3.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

(1) Read Cuo. 8281/90.
(2) Read again Do. to Mr Fawcett dy 20-11-90.
(3). & Cuo. 186/91.
(4) Read again Do. to —do— dy 10-2-91.
(5) Read Do. from Mr Fawcett dy 13-2-91.

Order No 1444 dt 3-3-91.

In November last a petition was received in the Govt office from one Govinda Naidu of Trichinopoly making certain specific allegations of bribery against M. R. Ry. C. R. Cunnakesavulu Naidu, at that time Ag. Dt Collr. ... Ancantapuram, and formerly serving in the Trichinopoly District as Huzur Sheristadar ~~and Dt~~ and Deputy Collector ~~Collr~~ Trichinopoly. This petn was transferred demi-officially to the Collr. of Trichy, who was directed to report whether there were any grounds for holding a formal investigation into the various charges.

2. In the second of the papers, read above, Mr Fawcett submits a very full

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read

report upon the subject: he has investigated all the charges made against the Dt Coll. with the greatest care and his opinion upon each case is clearly stated - Govt. the Govr C desires to thank Mr Fawcett for the thorough manner in which he has conducted the investigation, and for the excellent report in which he has recorded its results.

3. Several of the numerous allegations made in the pets have proved on enquiry to be unfounded, but in other cases the Coll's enquiry has brought to light facts, which throw the strongest suspicion upon the Dt Coll's honesty. After careful consideration, Govr in C resolves to call upon Mr Rg Chinnakesavulu Naidu for an explanation in respect of charges nos 8 of Sched. I. and no. 5. of Sched II. Copies of these charges should be given to Mr Rg Ch: Naidu by the Coll, with directions to submit his explanations thereon to the Board of Revenue thro' the Coll within one week. The Board, to whom ~~which copies~~ of the pets and of the Coll's report thereon will now be forwarded, will then submit these explanations to Govt with its opinion as to the course to be adopted.

4. Several of the remaining charges are considered by the Coll as morally proved, but there is no evidence, upon which a formal investigation could be based, and the Govt

Considers that nothing would be gained by calling upon Mr R Ry Ch. Naidu for an explanation regarding them.

Rm
21-6-51.

Ch

~~to the Coln. Trichy~~? 21/2

— Board (Land Reo)
with ~~copies of the~~ pet^rs and ~~of~~ W. P.'s report.
& Venkatarama chetty's deposition
in original to the returnees.

Re: Chinnakesavulu Naidu
& Dy. Collector
Srivaikuntam

G.O. No. 1798 dt. 16.3.51.

1444
3-3-51

When ... on for copying _____
W... opied _____
... examined _____ } 189.
...en signed _____

READ AGAIN G.O., No. DATED
189 .,

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT	A	A	A	A	A	A	A
LETTER OF GOVERNMENT							
STATEMENT WITH DITTO							
PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH IN ORIGINAL.							

N.B.—
A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only